



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

WIDENER LIBRARY



HX 12FQ 8

Br 58,33



Harvard College Library

FROM THE BEQUEST OF

EDWIN CONANT,

(Class of 1829).

This fund is \$28,000, and of its income one quarter shall be spent for books and three quarters be used for the general purposes of the Library. — *Vote of the President and Fellows, May 28, 1892.*

Received

19 Feb. 1895.

Wm R F S A
Town Clerk of Cambridge
8th March 1858.

REFUTATION
OF MR. PALGRAVE'S "REMARKS
IN REPLY TO
'OBSERVATIONS ON THE STATE OF
HISTORICAL LITERATURE.'"

Additional Facts
RELATIVE TO THE RECORD COMMISSION,
AND RECORD OFFICES.

ADDRESSED TO THE SECRETARY OF STATE
FOR THE HOME DEPARTMENT.

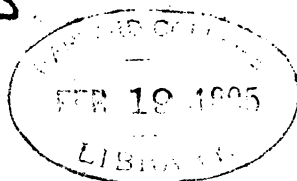
BY NICHOLAS HARRIS NICOLAS, ESQ.

LONDON:
WILLIAM PICKERING, CHANCERY LANE.
M DCCC XXXL

~~Brit. Hist.~~

~~89.3~~

or 58.33



bonant fund.

——— “Those who admire and love knowledge for its own sake, ought to
“ wish to see its elements accessible to all, were it only that they may be
“ more thoroughly examined into, and more effectually developed in their
“ consequences, and receive that ductility and plastic quality which the
“ pressure of minds of all descriptions, constantly moulding them to their
“ purposes, can alone bestow.”—HERSCHEL.

C. Whittingham, Took's Court,
Chancery Lane.

CONTENTS.

REPUTATION of Mr. Palgrave's <i>Remarks</i>	Page 3
---	-----------

Additional Facts.

RECORD OFFICES.

Tower	145
Rolls Chapel.....	150
Chapter House	150
Pipe Office	152
Custos Brevium of the King's Bench.....	153
Duchy of Lancaster.....	156
Records of the Exchequer	158
Augmentation Office.....	160
Baron Joursanvault's MSS.	162

RECORD COMMISSION.

Expenditure.....	163
Fœdera.....	164
Expense of each of the various publications.... 167 to	190
A Statement, shewing at one view the <small>WHOLE AMOUNT</small> expended on each of the Works published by the Record Commission from 1801 to 1829.....	191

	Page
TOTAL AMOUNT expended by the Record Commission, from 1801 to 1829	192
Sums received by MR. CALEY, SECRETARY to the Record Commission, from 1801 to 1829	194
POSTSCRIPT—on the Notice in the Gentleman's Maga- zine	196

APPENDIX.

Letters and other documents in support of the Refutation of
Mr. Palgrave's "Remarks."

The postscript to the letter marked Q, in page xv of the Appendix, has, by mistake, been *transposed*, to the letter marked P.

REFUTATION

OF

MR. PALGRAVE'S REMARKS.

WHENEVER an individual attempts to expose abuses, he must expect that his motives will be impugned, and his conduct misrepresented by those who are interested in the existing system. It is natural that men who derive large sums from a misapplication of the public money should be extremely angry with him who investigates their services and rewards, with the view of showing the disproportion between them; nor can any rational person be surprised that, in the absence of more satisfactory grounds of defence, recourse is had to personal calumnies.

Since the appearance of the "Observations on the present state of Historical Literature in England," its author has been subjected to no small share of obloquy; but the fact is remarkable, that whilst each of the public servants who are ad-

verted to in that work, has deprecated the censure which he individually received, as being "unmerited," and as arising from "personal hostility," the justice of the comments upon the conduct of others has, in most cases, been admitted.

This circumstance induced me to believe that no *general* reply to the "Observations" would appear, but that I might have to notice one or more of the defenders of their own separate interests. During the six weeks which have elapsed since the publication of the work, two or three individuals have pointed out passages which they considered likely to produce an erroneous impression; and I may flatter myself that the gentlemen in question are convinced that I had no desire to misrepresent facts. The opportunity of explaining the passages objected to now presents itself by the publication of a pamphlet entitled "Remarks submitted to the Right Honorable Viscount Melbourne, in Reply to the Observations on the state of Historical Literature," which renders it imperative upon me to defend myself against the charges and insinuations contained in it. This second intrusion upon the public on the subject of the Record Commission, and other Institutions for the advancement of Historical Knowledge, will not, however, be without its use; for, after replying to the "Remarks" of

my opponent, much important information with respect to the expenses of the Record Commission will be inserted; and such statements in the "Observations" as have been found to be erroneous will be corrected.

Mr. Francis Palgrave, the Editor of the "Parliamentary Writs," has, to my great surprise and regret, considered that the criticism upon his work, in the "Observations," arose from personal animosity, and has published what he terms a "Reply," under the influence of this fatal mistake. I say "mistake," because I must know the feelings by which I was actuated; and I call it a "fatal" one, because the impression has produced in him a mental irritation which has seriously affected his judgment. The usual effect of writing under such feelings has happened in this case. IN NO ONE INSTANCE HAS HE REBUTTED MY STATEMENTS BY FACTS, OR CONTROVERTED MY OPINIONS BY ARGUMENTS, but he has sought to impair my assertions by charging me with disingenuousness, inconsistency, falsehood, and treachery. He avows that his "arguments are personal," and that he seeks no other evidence on his behalf than that "of the man who, a little while since, exerted all his powers to induce him to commit the offences against which he now lays an information." In

another place I am accused of calling Mr. Palgrave a "fraudulent contractor;" and he says that if my statements be true, his conduct is cognizable in the Court of Exchequer; that whilst on friendly terms with me I suddenly made him "personally the subject of my most bitter hostility;" and that I have been actuated by "groundless enmity," besides various other passages of a similar import. To maintain these inferences, the most unfair measures have been used, and assertions are made which are wholly without foundation.

The "personal hostility" with which he charges me exists only in his own excited imagination. I deny that there is a word of a "personal" nature respecting him in my "Observations" or in the articles in the "Westminster" and "Retrospective Reviews," excepting that in the latter he is eulogized in a manner which would satisfy a more moderate candidate for praise. Instead of my having suddenly made him a subject of "hostility," I shall shew that he himself withdrew from my acquaintance in consequence of the criticism in the "Retrospective Review;" that I embraced his first overture to a renewal of it; and that I have treated him, upon every occasion, with marked courtesy and respect. That our acquaintance terminated about June last is undeniable; and I

leave it to any one to determine whether he would continue his intercourse with a person who, he believed, had, without his knowledge, circulated, even if he did not print his *private* or, to use Mr. Palgrave's own description of them, "familiar"* letters.

The most disagreeable part of the controversy, which he has forced upon me, is that the history of an acquaintance between two obscure individuals must be partially mixed up with what ought to be discussed as a public question. In reply to criticisms upon a public servant, which do not contain a line of personal matter, pages of Mr. Palgrave's pamphlet are occupied with an account of "when," and "where," and "how often," two persons met; and, for the first time, I believe, in a literary dispute between *gentlemen*, one of the parties has thought himself justified in *publishing many private and confidential letters which he received from the other, some of which were written four and others two years ago, whilst* HE SUPPRESSES THOSE LETTERS WHICH AROSE OUT OF THE SUBJECT THAT PRODUCED THIS DISCUSSION.

The publication of those letters does not displease me: there is nothing in them of which I

* "Remarks," &c. page 14.

am ashamed, or wish to recall ; all I could desire is, that, if they were to be given to the public, it might have been done with greater accuracy ; and as I long since forgot their contents, and did not keep copies of them, it is to be hoped that they are printed as he received them. Upon principle, however, I protest against the right of any gentleman so to use *private letters* ; and, as a member of the same profession to which Mr. Palgrave belongs, I most deeply lament that such conduct should be adopted by a member of the Bar.

My acquaintance with Mr. Palgrave may be briefly described. Before I knew him personally, his reputation impressed me with a high opinion of his talents and acquirements, which opinion has been but slightly affected by better opportunities of judging of his merits. We met in the reading room of the British Museum in 1826, when, he says, he introduced himself to me to ask my opinion of a specimen sheet of the "Parliamentary Writs;" that on a subsequent day he again shewed it me, and invited me to share his labours ; that I declined the offer, alleging that it would drive me mad, and that I was quite incompetent to the task. Of this transaction my remembrance is but faint. It is true that we met in the Museum, and it is not impossible that he did shew me a specimen

sheet of his Digest; and if he did, there can be no doubt of my having expressed myself in strong terms of its "*utility*." Of the offer to share his labours I have no recollection. It may have been made; and, if it were, it is unquestionable that it was instantly and decidedly declined. Mr. Palgrave states, that I alleged my dislike and incompetency: I could, if necessary, have supplied him with another reason.

Of all species of literary labour, that of making an Index of any kind (and the Digests are but an elaborate sort of Index) is the most tiresome and disgusting. Neither my taste nor my veneration for Mr. Palgrave rendered it probable that I should accept such a proposition; and I trust that my time since 1826 has been more usefully occupied, than if I had done myself the honor of becoming an humble scribe in the bureau of the editor of the "Parliamentary Writs." If this conversation occurred, it appears, therefore, that I made a polite and complimentary reply instead of a candid and rude one.

Supposing then that the splendid offer of becoming Assistant Digest Maker to Mr. Palgrave was made me, I plead guilty to having declined it; and it is not surprising that he who considers this Digest one of the most extraordinary exertions of

human intellect, should lament the want of taste in a person who refused to partake of the labour of preparing it, or that he should impute the refusal to a consciousness of incapacity. It appears that our acquaintance continued until August, 1827; that on one occasion he met me at my request to collate my copy of a document with the original, which was very difficult to decipher, in the Town Clerk's Office; and that we mutually thought kindly of each other. During this period several friendly letters passed between us on subjects connected with our pursuits: those which I received from Mr. Palgrave were destroyed as soon as they were read, for my vanity was not sufficiently great to induce me to preserve them for its gratification, nor had I the prudence to anticipate that I might require them for my defence. Those which he received from me were, it seems, carefully preserved, and are now given to the world. It is manifest that they indicate esteem for Mr. Palgrave's talents, and it is admitted that I was desirous our acquaintance might ripen into intimacy. My letters were written under this impression, *currente calamo*; and the language is that of a man of warm temperament who speaks from the impulse of the moment, and being himself above suspicion does not imagine that his correspondent

will abuse his confidence. In August, 1827, it was determined that a new series of the "Retrospective Review" should be undertaken, and that one part of each number should be devoted to Antiquarian and Historical subjects. I became the co-editor of the work, and this department was entrusted to my care. As my first object was to obtain the assistance of able contributors, I wrote Mr. Palgrave the letter marked No. V. in the Appendix to his pamphlet, letters to a similar purport being sent to other antiquaries. The first number of the New Series appeared in October, 1827, and contained the review of the "Parliamentary Writs," to which Mr. Palgrave refers, and of which I was the author. With that criticism he seems now to be perfectly satisfied; and it is therefore difficult to believe that he was so annoyed with it on its publication as to refuse to speak to me when we next met, which was at the Society of Antiquaries. From that time until February, 1828, no communication occurred between us, and I thought that our acquaintance was at an end.

About the 28th of that month, however, I was told by my friend Mr. Young, of the College of Arms, that he had seen Mr. Palgrave, who expressed himself in a friendly manner about me. Mr. Young informed him that I was under the

impression that he had taken offence at something I had done, when he assured Mr. Young that I was mistaken. Did my conduct on this occasion betray any "hostility?" I instantly wrote him the complimentary and conciliatory letter which forms No. VI. in his Appendix. From the letter which forms No. VII. it is evident that he accepted my proposition; but he neither then, nor at any subsequent time, gave me a reference to the MS. I requested,—a fact which tends to shew how little he was then disposed to aid my inquiries.* That, with every other letter from him, until they ceased to be of a private nature, was destroyed; and the last of mine which is printed is dated in March, 1828, and forms No. VIII. in his Appendix. Whether I wrote to Mr. Palgrave, or received any letters from him between March, 1828, and November, 1829, I do not remember. If I did write to him, no doubt the letters are preserved, but that they establish nothing against me, may be inferred from their not being printed; for no sort of delicacy has been observed with respect to my correspondence.

It remains for me to supply that part of the correspondence which he has withheld; and the public will learn with astonishment that whilst Mr.

* See the "Remarks," &c. page 15.

Palgrave has charged me with a want of candour in suppressing or distorting facts, and that whilst he has printed letters which were certainly never intended for publication, he has carefully *suppressed all my letters which bear exclusively upon the present question, which letters satisfactorily explain why I did not comply with his request to inspect his collections, and manifest the strongest desire to avoid giving him offence.*

In April, 1829, I wrote the article on the Public Records in the "Westminster Review," to which Mr. Palgrave alludes, and I sent a copy of it, with a letter on the subject, to the Duke of Wellington; and in October following a Postscript to that article, containing some additional facts, appeared in the same work. On the 30th of November I was asked by Mr. Palgrave if I were willing to come forward in my own name, and substantiate the charges I had made against him in the "Westminster Review." (See Appendix, A.) I have not a copy of my reply, but the purport was, that before I admitted myself to be the author of the article to which he alluded, I must beg to be informed of his motive for asking the question. He then wrote the letter dated 1st December, 1829, marked B, which produced those marked C and D. My reply to the letter marked D has been mislaid; but it was to inform him I was going out of town for a week, and it expressed a hope that the

Board of Commissioners would not meet until my return; which note was answered by the one marked E. On the 31st of December, 1829, he addressed the letter to the Speaker, as President of the Record Commission, which forms No. XI. in his Appendix; *but he had not the candour to send me a copy of it, nor even to inform me that he had made any communication respecting me to that gentleman;* and the letter in question which he says was transmitted to the Treasury, Home Office, and to the Record Commissioners, to whom it “proved satisfactory,”* and which contains statements calculated to injure me, did not fall under my notice until *eleven months after it was written.*

Upon every principle of fairness I consider that I ought to have received an *entire* copy of that communication the moment it was made, and that it was disingenuous in Mr. Palgrave to conceal his animadversions from me. Let it be remembered that, against all rules of literary courtesy, he called upon me in November, 1829, to identify myself with opinions expressed in a Review, and received an assurance that, if the government desired it, I would readily come forward and substantiate what was there said. This frankness he repaid by *privately circulating* a defence against

* Mr. Palgrave's “Remarks,” page 18.

those very charges among official persons and government offices. But this is not all. He made use of my *private* letters for the same purpose, and it was by mere accident that I became aware of the circumstance. It may, perhaps, create surprise that he could advance yet one step farther in so ungenerous a mode of defence. When he thought proper, for the *first* time, to make me acquainted with the existence of this communication to the Speaker, he only allowed me to see so much as he pleased. The extract consisted of two printed pages, but the rest was supplied in manuscript, and the letter itself, in its *integral* form, first met my view in the pamphlet just printed in reply to my work. I had recently been taught by experience to distrust any extract which Mr. Palgrave might print, and, in answering the letter which contained the extract in question, marked L in the Appendix, I made it a *sine qua non* to having any farther intercourse whatever with him, that he should furnish me with an *entire copy of that communication*. (Appendix, M.)

This request, extraordinary as it may seem, *was refused*, (Appendix, N,) and I was thus intentionally prevented from knowing the contents of a document which ought to have been sent to me the moment it was written. Even with the article in

question before me, supposing that the copy *printed* in Mr. Palgrave's Appendix, No. XI. contains the whole of what he submitted to the Speaker, I am at a loss to understand his motives for not sending me an entire copy. The passages omitted are the last three,* and include the copy of my letter printed in the note to p. 61 of Mr. Palgrave's pamphlet. It is moreover remarkable, that to the letter of the 24th of November, 1830 (No. IX. in Mr. Palgrave's Appendix, and marked L in the Appendix to this pamphlet), there was the following postscript, *which is not printed by Mr. Palgrave*. "I add such parts of my address to "the Commissioners as relate to your remarks in "the 'Westminster Review,'" whereas, he took care to prevent my being aware of the *most important part* of the address which bore upon those remarks, namely, that in which he stated me to be the author of them.

Upon his conduct with respect to that letter it is unnecessary to comment. It speaks for itself, and all I will say is, that, if I were to imitate such a proceeding, I should deserve the imputations which he has bestowed on me. The Record Commission met in the spring of 1829, but I did not receive any intimation on the subject either from Mr. Pal-

* These passages are reprinted in the Appendix, and are marked W.

grave or the Secretary to the Commission, and I heard no more of that gentleman until June, 1830. Our subsequent intercourse will be related in my replies to the various charges which he has brought against me.

I. The first charge is, that the "main object" of my work is to accuse Mr. Palgrave "of fraud," and that "if my statements be true, he is a fraudulent contractor, and his conduct is cognizable, not in the Court of Criticism, but in the Court of Exchequer." *Remarks, &c.* p. 3, 4.

Some command of the risible faculties is necessary in replying to so wild and intemperate a statement. Excepting in the criticism on the "Parliamentary Writs" in the "Retrospective Review," I have never alluded to Mr. Palgrave, unless it were in connexion with the many persons employed by the Record Commission; and whenever his work has been spoken of, it has been mentioned as one of the numerous volumes printed by that Commission. The "Observations on the State of Historical Literature" contains 212 pages, of which not more than *twenty-five* are devoted to Mr. Palgrave's labours: so much for its being the *main* object of that volume to criticise him. Had I dismissed his work without noticing his statement in the Parliamentary

Returns, he might with reason have accused me of injustice ; I therefore printed extracts from it, and made such observations as appeared to me to be proper upon his allegations. I confidently refer to those " Observations," which will be found in pages 99 to 109, and from pages 123 to 137, for proof of the injustice of his remark. I refer to them also, as affording the best evidence that I have not exceeded the bounds of legitimate criticism ; that I have not used one word of a personal nature ; and that it is absurd to draw any such inference from them as that they accuse Mr. Palgrave of being a " fraudulent contractor." Is the author who receives a large sum from a bookseller authorised to accuse a writer in a Review with charging him with " fraud," because in a criticism upon his labours the public are told that they are imperfectly executed ? Are the various government servants charged with " fraud," when, as daily happens, they are said to be overpaid for their services ? So far, however, from saying, that the " Parliamentary Writs" are imperfect, I have exhausted every eulogistic expression in the English language in praise of the general execution of that work : but because I have pointed out one defect in the plan, and have urged the impolicy of employing the little money which the country

can afford for printing Records, upon publishing volumes of *references* instead of *original documents*; because I think the work ought to have been produced at much *less expense*, and have noticed the want of system which has characterized the Record Commission, is it just or decent to say that I have accused Mr. Palgrave of "fraud?" If, however, it will in any way satisfy *him* to receive a direct assurance that I had no such intention, and that I do not consider him a "fraudulent contractor," I offer it him in all sincerity. To the rest of the world such an assurance must seem uncalled for and ridiculous.

To the first charge then I reply, with as much gravity as the subject will permit, *Upon my honor* I DO NOT DEEM *Mr. Francis Palgrave* "a FRAUDULENT CONTRACTOR!"

II. The second charge is, that a little while since, "Mr. Nicolas exerted all his powers to induce" Mr. Palgrave "to commit the offences against which he now lays an information," and that "if there be any mismanagement in the Digests, which constitute the most important part of the work, now in the press, (and against which the attacks of Mr. Nicolas are principally directed), Mr. Nicolas is an accessory be-

“fore the fact, for he abetted and encouraged me
“to persevere.” *Remarks*, p. 4.

Professional jargon apart, this sentence implies that Mr. Palgrave was induced to continue his Digests at my earnest recommendation, and that I am answerable for whatever defects may occur in them. When the sheet of the Digest was shown me in the reading room of the Museum in 1826, I was struck with the labour which it appeared to require. Having felt great inconvenience in writing the “Synopsis of the Peerage,” and the Memoirs of the Barons who were at the Siege of Carlaverock in 1301, from the want of an Index to the Appendix to the Reports of the Lords Committees on the Dignity of a Peer of the Realm,* I was glad to find that the omission was likely to be supplied, and therefore readily admitted the value and utility of that Digest. I pointed out its utility in the strongest terms, in the “Retro-

* This Appendix contains the identical Writs of Summons of Peers to Parliament, and great part of the Military Summonses of the reign of Edward the First, which are re-printed in the “Parliamentary Writs,” though the Appendix does not contain the Returns relating to the House of Commons. On the other hand, the Appendix contains the Writs of Military Summons of the reigns of John and Henry the Third, and the Writs of Summons to the Parliament of the 49 Hen. III., which do not occur, but *ought* to have been inserted in the *first volume* of the “Parliamentary Writs.”

spective Review," in 1827 ; and, in my " Observations on Historical Literature," speaking of the Digest, I say, " No one can doubt that the plan is a *convenient* one ;"* and again, " it must not be " understood from these remarks, that the convenience of the present references is denied."† Thus my opinion in 1830 was precisely what it was in 1826, namely, that the " Digests" are most useful and convenient. Nor is there a single word about their " defects." I cordially approved of the plan of the volume in my criticism on the " Parliamentary Writs" in 1827, and I as cordially approve of the plan in 1831 ; but my objection is founded upon evidence which was always before him who proposed, and before those who sanctioned that plan, but which was *never* before *me* until I wrote the second article on Records in the " Westminster Review," in October, 1829, namely, the *EXPENSE which attends it*. A hundred plans could be devised which would be most desirable. I could wish that every record in Great Britain were printed upon precisely the same plan ; I could suggest no better abstracts, digests, or calendars, nor would I desire to entrust the execution of the work to a more zealous or more careful editor ; but what are the first considerations before

* Page 107.

† Page 108.

carrying such a plan into execution? *The expense* which would attend it, and the doubt whether the money it would require might not be much more advantageously employed. At the sacrifice of some essential department of government, perhaps all the records might be so published, but would any person put the two objects in comparison with each other? So, in considering the manner in which the "Parliamentary Writs" should be edited, it might possibly have been wise to adopt the present plan, if those Writs were the *only* documents which it is desirable to print.

In Mr. Palgrave's opinion such may be the case, but that is not my opinion, and I therefore contend that admirable as the plan is in theory, and satisfactory as it must appear to a Reviewer of the book, who was ignorant of the extent to which it would carry the work, as well as of the expense attending it, the Commission which sanctioned its adoption acted injudiciously, because it ought to have been aware both of the extent and the expense. By a reference to the "Observations," it will be seen that my objection to the "Parliamentary Writs" is founded upon two grounds, the expense, and that the same documents have, from a want of system, been repeatedly printed at the cost of the country within a few years. For

this Mr. Palgrave is not responsible; nor have I any where attributed the fault to him.

My answer to the second charge is, therefore, First, that I exerted no power to induce Mr. Palgrave to commit any offence, because I accuse him of none; since I have never said there was any "mismanagement" or "defects" in the Digests; and, Secondly, that when I thought it practicable to print the work in that manner, *I was ignorant of the enormous sum which it costs.*

III. Mr. Palgrave's third accusation against me is that of "shrinking from mentioning his name:" he complains that I call him the "learned gentleman," and "the editor of the Parliamentary Writs," and that I have thus "reduced him to a kind of abstract idea." With this charge he couples the circumstance of my having alluded to him as "a *slight* acquaintance." *Remarks*, p. 5, 6.

It was my anxious desire in the "Observations" to avoid, as far as was possible, speaking of individuals by any other designation than the official one which caused me to notice them. In the case of two or three gentlemen, I was obliged to insert their names, because they were frequently alluded to in more than one capacity, and I took the trouble to revise my manuscript for the sole pur-

pose of striking out the names of parties, in order that my remarks might be divested of even the appearance of personality. If in noticing Mr. Palgrave by the appellation of the editor of "the Parliamentary Writs," or as the "learned gentleman," instead of by the appellation to which he has an undoubted legal title, I have displeased him, I am sorry for it, and I offer him my apologies. That, by doing so, I should have "reduced him to a kind of abstract idea" might perhaps occasion me more regret, if I knew what an "abstract idea" of a man means. If in his contemplation of such a being any thing be presented to his mind's eye disagreeable, or terrific,

" Monstrum horrendum, informe, ingens,"

let him remember the animal is of his own creation, not of mine ; and I trust I am not responsible for the conceptions of his disturbed imagination.

In speaking of Mr. Palgrave as a "slight acquaintance" I did not mean to offend him or to convey any impression at variance with truth. In the passage where the expression occurs* other

* The passage in question occurs in the address to Lord Melbourne, and is as follows : " It is, however due to myself, " to assure your Lordship, that, as I am personally unknown " to most of those individuals, and as I feel much respect for

persons are included, with some of whom I never exchanged fifty words. But what were Mr. Palgrave's claims to be differently noticed? Even when we were best known to each other, we were not on visiting terms, nor was I ever more than ten minutes in his house, or he three times in mine. He thought proper to break off that acquaintance: it was renewed; then again interrupted on account of the articles in the "Westminster Review;" and though, as will afterwards appear, it was a third time revived, yet at the moment when the "Observations" were written, I had resolved that it should finally terminate, in consequence of his conduct with respect to my letters.* What other term, then, was I to use in speaking of him than that which I adopted? There is something so puerile in this discussion that I am sorry to have been obliged to enter into it, and his remark would have been passed over in silence, were it not for the inference which is sought to be drawn from my expression.

"the two or three of them with whom I am slightly acquainted, I can have no unworthy motive to gratify in commenting upon them, as Sub-commissioners of the Public Records."

* See page 15, ante.

IV. I am next accused of inconsistency, because in the "Notitia Historica" I used strong expressions of praise with respect to the volumes printed by the Record Commission, and because I complimented the Commissioners, as well as the persons by whom the works were edited.—*Remarks*, p. 12.

That a *prima facie* act of inconsistency is shewn by this circumstance may be true, and it is, naturally enough, brought against me by those who prefer my opinions in 1824 to my opinions in 1830. I answer, that my praise then was as sincere and conscientious as is my censure now. My praise then arose from an imperfect acquaintance with the subject, the want of evidence by which to form a just opinion, and a willingness to believe that the persons entrusted by the Crown to perform important duties, had properly fulfilled them; for if this had been done, the eulogy was deserved.

My censure was called forth by a careful investigation of the volumes, after unremitting attention to the subject to which they relate for six years, and by the knowledge of the amount of money spent upon them,—facts which have since taught me that the persons so entrusted by the Crown were either ignorant of, or have negligently performed, their duties.

If I can prove that my opinions have been changed upon evidence which none but an idiot could withstand, that no sinister motive influenced my judgment, and that since my views of the subject were altered I have been consistent, I am entitled to be considered as a man whose *present* opinions were adopted after a careful and anxious inquiry. In defending myself against this charge of inconsistency, there is one fact which is too strongly in my favour to be passed by. It is evident that I was originally disposed to think highly of the Record Commission and its publications, and that in commencing my inquiries on the subject I was aware that I had committed myself by having publicly applauded it. If then I were under the influence of prejudice during my investigation, it was a prejudice in favour of the Commission; and when I ventured to expose its abuses, I was conscious that my former very opposite remarks would, on the first opportunity, be cited against me. To divest oneself of an opinion is no easy task. We ordinarily cling to a prepossession with a tenacity which too often renders us impervious to conviction; and when our sentiments have been publicly expressed, pride makes us adhere to them as if fame and character depended upon proving their justice. A change in

an opinion, so avowed, is generally imputed to, and sometimes arises from interested considerations; but, it may be hoped, that it is often produced by a better feeling. In this instance, even Mr. Palgrave does not insinuate, much less assert, that I have been actuated by unworthy motives; and, if *he* has not ventured to do so, I do not anticipate that it will be done by a more candid opponent: but, be it said by whom it may, I am sure no one can PROVE IT.

At the time of the appearance of the article in the "Westminster Review," in April, 1829, I had never had the slightest dispute with any person connected with the Record Commission, or attached to a Record Office, and I have nothing to gain by any amendment in either.

An account of the circumstances under which, and the time when the "Notitia Historica" was written, will prove that I might fairly abandon any opinions in that work without subjecting myself to reproach. In the summer of 1824 I was engaged on the "Synopsis of the Peerage;" but finding my labours much impeded from the want of tables for reducing the dates in ancient documents to the modern computation, I laid aside that work until I had compiled and arranged a set of tables for my purpose. Afterwards I resolved

to print them, for the convenience of reference, and it was suggested to me to introduce other matter to render the volume more valuable. No description had appeared of the works printed by the Record Commission, and I was advised that I should render a service to antiquaries by giving a brief notice of their contents. At that moment I was comparatively new to the subjects to which they relate, and many of those books were then opened by me for the first time. My residence was at a short distance from town, and I was obliged to refer to them at the Museum, so that I had neither time nor opportunity to examine them with much attention, because my progress, on the chief subject which then occupied my thoughts, the "Synopsis of the Peerage," would have been thereby interrupted.

Nothing can be more brief or imperfect than the notices I printed of those works, which were taken from the descriptions prefixed to them; and, as I saw enough to convince me of their value, if properly executed, and as I did not suppose they were defective, I indulged in the natural disposition of a young man, when contemplating immense sources of information on his favourite pursuits, by bestowing exaggerated praise on those who had produced them. More than six years have since

elapsed, during which time my information has, it may be presumed, been materially augmented upon subjects which in that period have engaged nearly my whole time; but as a new edition of the "Notitia Historica" has not yet been published, I have not had an opportunity of correcting my statements in that volume. I very soon, however, became sensible of my error with respect to the execution of the works printed by the Commission; and as early as October, 1827, I stated my sentiments respecting many of them in the "Retrospective Review;" but it was not until May, 1830, when the Return of the Expenses of the Commission moved for by Mr. Protheroe was printed, that I was aware of the *exorbitant prices* which some of those books had cost the country.

Under all these circumstances, was not a change in my opinion natural, and indeed inevitable? Would it have been wise to refrain from pointing out the abuses I discovered, with the view to their removal, because six years before I thought differently? or was I to be deterred from avowing an error into which I had been led, lest some candid and intelligent person might taunt me with inconsistency? All I have to regret is, that in 1824 I should have pronounced so hasty a judgment, not that I abandoned my opinion when evidence con-

vinced me that it was an erroneous one. As well might I be charged with inconsistency upon comparing the passage in the "Life of Lady Jane Grey," printed in 1825, in which, from following historians, I accuse Henry VII. of cruelty to his mother-in-law, with the "Memoir of Elizabeth of York," recently published, in which I attempt to prove the injustice of that reproach. This change in my opinions was produced by the same cause as produced the change with respect to the works of the "Record Commission;" and to have persevered in error in the former case would not have been more absurd, or more criminal, than in the latter. He who writes much, and especially on historical subjects, will often find that what he stated last year is proved to be incorrect this; and whenever it becomes a rule of action that an author, or any other person, is to adhere to his errors for no better reason than that he has committed them, science and literature must remain stationary.

My reply to the fourth charge then is, that I abandoned the opinions I published on the "Record Commission" in September, 1824, because I afterwards became thoroughly and conscientiously CONVINCED BY EVIDENCE that they were ERRONEOUS.

V. Mr. Palgrave's fifth accusation against me is in purport that, being on the most friendly terms with him, and receiving many proofs of his kindness, (among others by his having "sought my acquaintance,"* and offered me to share his labours in preparing the "Parliamentary Writs;" by encouraging my friendship; offering me the free use of his inedited materials for a new History of the Peerage, introducing me to Mr. Murray, assisting me in the collation of manuscripts, &c.) I suddenly made him personally the subject of "my most bitter hostility." He then asserts that he never spoke, wrote, or acted against me, and that the alteration in my conduct occasioned him great pain and surprise.† The way in which I committed these aggressions is thus stated :

" Mr. Nicolas first began by a violent attack
 " upon me in the ' Westminster Review.' Having
 " thus endeavoured to hurt me in the public estimation, he followed up his attack by transmitting
 " a private letter on the subject to the First Lord
 " of the Treasury. He then returned to the charge
 " by another article in the ' Westminster Review,'
 " containing statements which are wholly untrue.

* " Remarks," page 13 : in the next page Mr. Palgrave says that *I* sought and courted *his* acquaintance !

† " Remarks," pages 15 and 16.

“ He then applied himself to a Member of Parliament, (Mr. Protheroe), and gave him ‘ information’ concerning my work in such a tone and manner as to shew that he acted as a personal adversary. Upon the returns (which had been moved for by Mr. Protheroe) having been printed, Mr. Nicolas employed himself, during last autumn, in concocting paragraphs against me, in a Sunday paper called the *Intelligence*. And he now appeals at once to the public and to your Lordship, by his pamphlet, in which, to use his own expression in a letter addressed to me, he has noticed me more ‘ pointedly’ than any other person concerned.”—*Remarks*, p. 16.

The manner in which I became personally known to Mr. Palgrave has been explained, and enough has been said about his offer to assist him in the “Parliamentary Writs.”* I am happy that any “circumstances” reconciled him to my refusal, and I trust that whoever may have performed the task he proposed to me, has found it more congenial to his habits and ambition than it appeared to mine. Upon *one* occasion Mr. Palgrave certainly did me the favour to aid me in the collation of a MS., and I gladly repeat my thanks for his kindness. I do not recollect a

* See pages 8 and 9 ante.

second instance, or I would as readily acknowledge it. That I appreciated the civility at the moment the world, with Mr. Palgrave's kind assistance, is informed. (See my letters No. II. and III. in his Appendix). The next time I may have the pleasure of rendering or receiving a courtesy of this kind, I shall set a higher value on the act, since so liberal and learned an antiquary has thought it worth his while to chronicle it among the memorable events of his life, and reminds him, who received the obligation, of his condescension at the distance of four years! To Mr. Murray Mr. Palgrave did not introduce me, either in reference to a "Peerage," or any other subject. Of that gentleman I know very little, and the first time I ever saw him was about four years ago, in consequence of an invitation to dinner conveyed through the Rev. Edw. Edwards, for the purpose of discussing a plan, Mr. Murray entertained, of publishing a series of Letters illustrative of British History, of which it was proposed that I should be the editor. I do not remember ever to have had any conversation with him about a history of the "Peerage," so that in this matter Mr. Palgrave is *mistaken*; but it is wholly unimportant.

While thus, according to Mr. Palgrave's statement, we were the very Pylades and Orestes of

antiquaries, I suddenly, and without any reason, made him the subject of my "most bitter hostility," he having given me no "cause of offence, except by refusing to join me against Mr. Ellis." * If this were true, I must be the most capricious, and Mr. Palgrave the most injured, of men; but the whole of this statement is *unfounded*. I deny that I have ever made him the subject of hostility; and support my denial by a reference to every line I ever wrote concerning him, as well as by a reference to my correspondence in his Appendix, and that at the end of this refutation of his charges. I could never have asked him to join me against Mr. Ellis, because I never formed a party against that gentleman; and I knew too much of Mr. Palgrave to expect he would oppose *any thing* connected with the existing system in the Society of Antiquaries. This point will, however, be discussed hereafter.

It is material, before I reply particularly to the articles which he calls "attacks upon him," to disprove the assertion that I capriciously gave up his acquaintance, or that I became his enemy. Our acquaintance was, as already stated, interrupted in October, 1827, in consequence of his being dissatisfied with the criticism on the "Par-

* "Remarks," page 15.

liamentary Writs" in the "Retrospective Review," but was renewed by *an overture from me* in February, 1828, on learning that his displeasure had ceased.*

The schism in the Society of Antiquaries commenced in April, 1827, and "the direct attack," which he describes me to have made "upon the purse of Mr. Ellis," (which, when *interpreted*, means my having opposed an increase to his salary as junior Secretary to that body), took place in November, 1827. So that I am represented as persecuting Mr. Palgrave, *in consequence* of an affair which took place three months *before* I wrote the conciliatory letter of the 29th February, 1828, (marked VI. in his Appendix). Thus much for the question about Mr. Ellis's salary having produced any of the criticisms to which Mr. Palgrave alludes. It is remarkable, that he is entirely silent as to the coolness which the article on the "Parliamentary Writs" in the "Retrospective Review" produced: he says nothing of his caprice in evincing displeasure at that article, or of my readiness to renew our acquaintance, but boldly charges *me* with treating him ill, and "indulging in bad temper" !!!

Among the offences of which he accuses me is

* See my letter in the Appendix to Mr. Palgrave's "Remarks," No. VI.

“a violent attack upon him in the ‘Westminster Review.’” The article alluded to appeared in the number of that work for April, 1829, which treats of the state of the Public Records, and the regulations of Record Offices, and contains some remarks on the Record Commission, and its publications. It points out the impediments which exist to prosecuting Legal claims and Historical researches, and is, in fact, the outline of my “Observations on the State of Historical Literature.” It was impossible to avoid noticing in it the “Parliamentary Writs,” and the proposed new edition of the “Rolls of Parliament,” and every line in which Mr. Palgrave, or that volume is alluded to will be found in the Appendix (marked T).

How those passages can be called a “violent attack” upon Mr. Palgrave I cannot imagine. His work is incidentally mentioned, and is said to be one of the “best edited” which the Commission had published. One fault is certainly pointed out, and so far the Editor may be displeased; but the other parts of those comments censure that want of system in printing Records which caused documents to be printed more than once, and imputes a very slight portion of blame, if any, to the Editor of the “Parliamentary Writs.”

Mr. Palgrave then observes: “Mr. Nicolas followed up his attack by transmitting a private

“letter on the subject to the First Lord of the Treasury.” I followed up no “attack,” because I had made none; but I transmitted a copy of the article in the “Westminster Review,” with a letter, urging the necessity of an alteration in the Record Offices and in the Commission, to the Duke of Wellington. His grace told me, in reply, that “the Public Records were under the consideration of government:” hearing nothing farther for many months, I addressed a second letter to the Duke, but no measures were adopted. I deny that either of those letters contained any “attack” upon Mr. Palgrave: the system was noticed generally, and some cases of abuse, and want of proper management, were pointed out. It may be that the intended new edition of the “Rolls of Parliament” was one instance, because I thought, and still think, it unnecessary. I then, Mr. Palgrave says, “returned to the charge” by another article in the ‘Westminster Review,’ “containing statements which are wholly untrue.” The second article in the ‘Westminster Review’ was a Postscript to the former, consisting of three pages, and was written in consequence of the Parliamentary Return, shewing the expenses of the Commission between March 1825 and March 1828. As he has not specified which are the “statements” that are “wholly untrue,” but presuming that he

applies the remark to those only which relate to himself, all that is there said of the "Rolls of Parliament" or "Parliamentary Writs" is inserted in the Appendix (marked T), to enable the reader to judge of the *justice* of Mr. Palgrave's expression. I solemnly assert I had no desire to misrepresent him. The facts were taken from the "Parliamentary Return," and if the statements are "wholly untrue," it is very extraordinary that Mr. Palgrave has not shewn *where they are false*. I maintain, however, that every line of those statements, with one exception, is correct; and I invite him to disprove them. The exception is, where it is said "the far greater part" of the first volume has been before printed. But for the want of opportunity of correcting the proofs and revises of an article in a periodical publication, that passage would have run "*great part* has been printed before," though substantially the expression, as it stands, is correct.

Mr. Palgrave proceeds to say, "Mr. Nicolas applied himself to a member of Parliament, Mr. Protheroe, and gave him 'information' concerning my work in such a tone and manner as to shew that he acted as a personal adversary." The impropriety and fallacy of this remark are shewn by a letter to me from Mr. Protheroe, which is printed at length in the Appendix (marked O), to which, in justice both to that gentleman and to

myself, I most particularly refer: Mr. Protheroe observes,

“ I can assure him, and I declare it without
 “ hesitation, that your remarks to me on his works
 “ were, on all occasions, fair criticisms of them,
 “ founded on their relative importance to the ex-
 “ pense which they cost the country; and there-
 “ fore you did not shew me that you acted as a
 “ ‘ personal adversary.’ Indeed in your conversa-
 “ tions with me you have always made a marked
 “ distinction between your sentiments on the pro-
 “ priety of his remuneration, and your opinion of
 “ him as an historical antiquary, for you generally
 “ observed, ‘ I always allow Mr. Palgrave’s merits
 “ —it is the cost of his work of which I com-
 “ plain.’ ”

To the accusation that I employed myself, “ dur-
 “ ing last autumn, in concocting paragraphs against
 “ him in a Sunday Paper called the ‘ Intelligence,’ ”
 I give a direct and unqualified denial.*

It is true that I have appealed to Lord Melbourne,
 as Secretary of State for the Home Department, and

* The “ Intelligence ” of last Sunday (January 16), has
 been sent me by a friend, and is now before me. In a notice
 of Mr. Palgrave’s pamphlet, it says, in allusion to this charge,
 “ If Mr. Nicolas can overturn the other charges, as easily as
 “ he may do this, Mr. Palgrave may repent having meddled
 “ with him. Facts are stubborn things, and a reference to
 “ our file will shew that *no paragraph whatever*, reflecting

to the public upon the subject of the Records and the Record Commission by my recent volume; but what must be the condition of mind of any one of the individuals mentioned in it, who can see nothing in that work but an "attack" upon *himself*? His estimation of his own importance must indeed be great; and it is with regret that I am obliged to wound Mr. Palgrave's vanity, by assuring him that his labours formed the least important object of my attention; and that, had he not called forth a discussion, in consequence of his statement in the Parliamentary Return, my remarks on him would not have exceeded three pages. The manner in which he has perverted my meaning with respect to the word "pointedly," will be apparent by a reference to my letter *which he suppressed*, and which occurs in in the Appendix, marked H. The passage where it occurs is the following:—"There will, I fear, be
 " much in my work to displease you, since criticism does not appear to be acceptable to you;
 " but if you find yourself more pointedly adverted
 " to than others, remember that none of the Sub-
 " personally on Mr. Palgrave has ever appeared in our columns. We will further tell Mr. Palgrave that Mr. Nicolas
 " is known to us, as he himself is known to us, by reputation
 " only; and, that we have never, as far as we know, and believe, received one single communication from him, on any
 " subject whatever, certainly none on any thing connected
 " with the Record Commission."

“ commissioners has invited animadversions by an
 “ elaborate statement of his services in the ‘ Re-
 “ turn’ in the way which you have done. I have,
 “ however, confined myself entirely to what ap-
 “ pears in that ‘ Return,’ and in your works, with-
 “ out even availing myself of the fair argument, as
 “ respects your remuneration, that your *whole time*
 “ cannot be given to the Commission, because, ac-
 “ cording to a Bookseller’s Catalogue, you are
 “ writing two or more private works which require
 “ great labour and research,* besides attending to
 “ your professional engagements; and I trust,
 “ therefore, that you will, once for all, credit my
 “ assurance, that I am not actuated by personal

* The works alluded to are on the “ Rise and Progress of the
 “ English Commonwealth, from the First Settlement of the
 “ Anglo-Saxons in Britain. With an Appendix of Documents
 “ and Records, hitherto unpublished, illustrating the History of
 “ the Civil and Criminal Jurisprudence of England, 2 vols. 4to.”
 And a “ History of England” for the “ Family Library.” Mr.
 Palgrave wishes it to be inferred (see his letter marked No. IX.
 in his Appendix, and L in the Appendix to this Pamphlet),
 that these works do not interfere with his duties under the
 “ Record Commission,” to which he says he gives *eight hours*
 a day, and which I admit to be ample. I am not Mr. Pal-
 grave’s enemy, and by no means desire to press an inconve-
 nient argument of this nature upon him; but it must be con-
 fessed that he who does this, and yet attends to professional
 duties, besides finding time to volunteer an unnecessary, if
 not injudicious “ defence” in a pamphlet, is an extraordinarily
 laborious person indeed.

“ feelings of disrespect or unkindness towards you
“ individually.”

My reply to the fifth charge is, that I have neither done nor said any thing personally offensive to Mr. Palgrave, much less made him the “ subject of my most bitter hostility ;” and that the assertions by which he supports his statements are *wholly unfounded*.

VI. Mr. Palgrave's sixth charge is, and he makes it, he says (“ as a Parliamentary Privilege”!!!) “ clearly and distinctly that Mr. Nicolas has been “ actuated by groundless enmity ; and that the “ anonymous attacks of Mr. Nicolas contained much “ matter which is entirely untrue,” *Remarks*, p. 16, 17. As a specimen, he cites the passage from the “ Westminster Review ” for April, 1829,* in which it is stated, “ that more than two thirds of “ the ‘ Parliamentary Writs ’ were before printed “ at the public expense, either in the ‘ Rolls of “ Parliament ’ or in the Appendix to the Reports “ of the Lords Committees on the Dignity of a “ Peer of the Realm, and that most of what does “ not occur in those works may be found in “ ‘ Prynne's Kalendar of Parliamentary Writs.’ ”

Upon the subject of my supposed “ enmity ” to Mr. Palgrave, it is not necessary for me to make

* See Appendix T.

many additional remarks. I have declared that I never felt any ill will towards him. I repeat the assertion ; and I again refer to all I have written either to or about him, and more especially to my letters, in the Appendix marked H and M, as irrefragable evidence of the fact. As a specimen of the *spirit* and *accuracy* with which Mr. Palgrave's pamphlet is written, I shall cite his observations upon the latter part of this charge :

“ Now, in answer to this good round assertion, which goes to impugn the whole work—it is sufficient to say, THAT PRYNNE'S CALENDAR DOES NOT CONTAIN ONE DOCUMENT PRINTED IN THE ‘ PARLIAMENTARY WRITS,’ being merely an imperfect Register, as you will find more fully explained in the Appendix, p. 60.

“ If Mr. Nicolas ever saw Prynne's Calendar, he must have known that his assertion was entirely untrue ; and if Mr. Nicolas never saw Prynne's Calendar, he ought not to have made so prejudicial an assertion without taking the trouble to ascertain its truth.

“ I must confess that I was alarmed by this proceeding, for since Mr. Nicolas could hazard such good round assertions in print, taking his chance as to their producing an effect before they could be detected or refuted, I did not know what assertions of a similar character his private de-

“lations might contain. I therefore prepared a statement (Appendix, No. XI.),* which was transmitted to the Treasury, the Home Office, and to the Record Commissioners; and which, I have reason to believe, was considered as satisfactory.” *Remarks*, p. 17.

I am here accused of having said what is “entirely untrue;” of “hazarding good round assertions in print, taking my chance of their producing an effect before they could be detected or refuted;” and Mr. Palgrave has the hardihood to add, “he did not know what assertions of a similar character my private delations might contain.” If, as he has asserted, I were actuated in any degree by personal feelings, much less “bitter enmity,” he may be assured I should meet such an insinuation as this in another, and a very different manner. On this occasion, however, I content myself with flinging back such an imputation with the scorn it merits; and I shall enable the reader to judge whether “the charges of having hazarded good round assertions in print, taking the chance as to their producing an effect before they could be detected or refuted,” and of having said what is “entirely untrue” respecting Prynne’s *Kalendar of Writs*, belongs to *me* or to *Mr. Palgrave*.

* The Letter to the Speaker. See pages 14—17 ante.

The passage adverted to was intended to mean that great part of the first volume of the "Parliamentary Writs" had been before printed at length, and that the *substance*, that is, the *most important information in the instruments*, of the greater part of what had not before been printed at the public expense, would be found in Prynne's "Calendar of Parliamentary Writs." In proof of this statement I have to observe that there is not a single writ of summons of peers to parliament of the reign of Edward the First in the first volume of the "Parliamentary Writs," which is not printed *at length* in the Appendix to the Lords' Report on the Dignity of the Peer of the Realm; which also contains, *at length*, the greater part of the Writs of Military Summons of the period, that occur in the "Parliamentary Writs." The principal writs and returns which are printed *at length* by Mr. Palgrave, for the first time, are those relating to Knights, Citizens, and Burgesses.

Prynne's "Brief Register, Kalendar, and Survey of Parliamentary Writs," is a rare and expensive work; and, whatever may be my esteem for Mr. Palgrave's labours, had I known as much of that Calendar when the review of the "Parliamentary Writs" was written as I do now, a very different allusion would have been made to the comparative merits of the two works, though I am sensible of

the superior correctness of the "Parliamentary Writs," and am aware that many documents have been discovered since Prynne's time, and that he has committed some mistakes. The plan of his "Calendar" is to give an account of the form, nature, and purport of the various kinds of Parliamentary Writs, and he has made learned and valuable observations upon them. Copies of, or extracts from such writs as were peculiar continually occur, in illustration of his remarks; and at the end of each division are Alphabetical Lists of the Spiritual and Temporal Peers, Judges, Serjeants, and others of the King's Council who have been summoned to Parliament, with references to the Writs in the Tower in which they are mentioned. The third and fourth parts relate to the Writs of Elections, Returns, and Writs of Expenses of Knights, Citizens, and Burgesses, and he has given the names of the persons elected, with the dates, arranged under the places for which they were returned. The various kinds of these writs are frequently illustrated by copies or extracts from the originals, in the same manner as the Writs of Summons of the Peers, &c., forming altogether a singular example of industry, and abounding in highly valuable information. If the first volume of the "Parliamentary Writs" and so much of Prynne's labours as bear upon the same period,

be measured by the relative proportion *of facts* in each, I am justified in saying that the former does not contain so much as a third more than the latter; and I therefore repeat that, with regard to Parliamentary Returns, two-thirds of the contents of the "Parliamentary Writs" were previously known to the public, though not in so full, or correct a manner. That *one-third* of the documents in that work, that is 140 out of 424 pages, was previously printed at length, at the public expense, Mr. Palgrave does not venture to deny; nor does he deny that he has received from eight pence to one shilling a folio for *transcribing* the said 140 pages, though no transcripts were necessary, and he does not say that they ever were made.

I must now, however, meet his unqualified assertion, which he has printed in capitals with the view of giving the greater force to the statement, that "PRYNNE'S 'CALENDAR' DOES NOT CONTAIN ONE DOCUMENT PRINTED IN THE 'PARLIAMENTARY WRITS.'"*

It is scarcely possible to open Prynne's "Calendar without finding in nearly every page (excepting his catalogues or indexes of names) *copies of, or extracts from Records*, of which Records, *every one* (I believe I may say, *without a single*

* "Remarks," page 17.

exception) either has been or must be printed in the "*Parliamentary Writs*." With such a fact as this before him, (for I will not imitate his rudeness by insinuating that the Editor of the "*Parliamentary Writs*" "never saw Prynne's Calendar,"*) I really know not how to account for such an assertion as he has made. Among *the many examples* which might be pointed out where documents are printed at length by Prynne, and in the "*Parliamentary Writs*," I have selected *a few* of those of the reign of Edward the First only, and the note below† shows the pages in which they occur in each work. Having exposed this *grossly erroneous* statement, I shall abstain from commenting upon the temerity and total want of good faith of him who could make it.

Another example of Mr. Palgrave's candour on this subject remains to be stated. As soon as the "*Westminster Review*" containing the article on

* "*Remarks*," page 17.

† Prynne.	Parliamentary Writs.	Prynne.	Parliamentary Writs.
Part I. p. 6	Vol. I. p. 28	Part I. p. 10	Vol. I. p. 81
6, 7	30	12	89
8	47	14	160
9	55	III. 142	117
9, 10	78	244	88
10	80	IV. 8	85

G

Records appeared, I saw the construction which might be given to my not having more accurately explained, that when I said "most of the Parliamentary Writs" which does not occur in the Appendix to the Lords Reports would be found in "Prynne's Calendar," I meant the *information* and not *entire documents*. In the *postscript to that article*, in speaking of the proportion of new matter in the "Parliamentary Writs," *Prynne's Calendar is consequently not alluded to*; and in the "Observations" I used the following expression on the subject:

"The first and only complete volume of the Parliamentary Writs which has appeared consists, altogether, of one thousand one hundred and fifty-eight pages. Of this number four hundred and twenty, only, contain Records, the remaining seven hundred and thirty-eight pages, forming nearly two-thirds of the whole volume, being appropriated to *Abstracts* and *Digests* of, and *Indexes* to, the Records in the said four hundred and twenty pages. *Of those Records, however, the contents of one hundred and forty pages have before been printed at the public cost either in the Appendix to the Reports of the Lords Committees on the Dignity of a Peer of the Realm, in the "Fœdera," or in the "Rolls of Parliament."*—*Observations*, p. 102, 103.

I had a fair claim to expect that my *last* and not my *first* notice of a particular subject would be the one selected for comment ; that a book bearing my name, just published, and not an anonymous criticism written nearly two years ago, would be considered to contain my deliberate opinion ; and that the statements in the volume to which Mr. Palgrave *calls* his pamphlet a “ reply,” would have been the main object of his remarks. I would ask if he felt himself aggrieved by any assertion in the “ Westminster Review ” why he did not address his complaint to the editor of that work ? Does he consider himself exempt from the usual practice on these occasions, of seeking a remedy from the quarter which inflicts the injury ? So far however as my knowledge extends, he bore the criticism in the number for April, 1829, with exemplary fortitude, but the paragraph which appeared in the number for October, in that year,* proved too much for his equanimity. He called upon me to avow the charges, as he terms them, in that article, as if they accused him of some offence denounced in the decalogue.† If the two criticisms be compared, it will be seen that the reflections upon the skill and talents of the editor were not more severe in the latter than in the

* See the passages in question in the Appendix, marked T.

† See Appendix A and B.

former. Under the one he was quiescent; but the other was insupportable. This is so extraordinary that I must endeavour to account for it. The first criticism did not notice his *income* from the Commission: the second criticism stated that he was exorbitantly paid, and then, but *not until then*, did Mr. Palgrave attempt to prove the injustice of those criticisms.*

To the sixth charge therefore I answer, that the notice of Prynne's Writs is *substantially true*; and that the remark does not occur in the work which bears my name, and to which Mr. Palgrave *professes* to reply.

VII. The seventh charge is, that my opinions in 1830, with respect to "every material point relating to the substance, arrangement, and plan of the volumes of the 'Parliamentary Writs' which have been published, and most particularly with respect to the Digest, flatly contradict" my opinions in 1827 and 1828. *Remarks*, pages 23, 31, and 32.

An extract from the review of the "Parliamentary Writs" in the "Retrospective Review"

* The writer of the criticism on the "Parliamentary Writs" in the "Retrospective Review" was only punished by a *temporary* loss of Mr. Palgrave's acquaintance, but as that article did not allude to *payments*, it produced no defence, and was forgiven.

for October, 1827, is inserted—the criticism, be it remembered, which proved so displeasing to Mr. Palgrave on its publication—with the object of convicting me of inconsistency. At the time of writing that article, I was ignorant of the heavy and improper prices which the books printed by the Record Commission had cost the country, but it is evident from passages in that criticism, which *more suo* Mr. Palgrave HAS SUPPRESSED, that I was quite aware of the error I had committed in the “Notitia Historica.”

As a specimen of the “candid” and “trustworthy” manner in which he quotes, I shall insert, in parallel columns, those parts of the extract given by him which he has found it convenient to mutilate. The variations and omissions are printed within brackets: the alterations in the type were made *by him*.

EXTRACTS FROM THE RETROSPECTIVE REVIEW
FOR OCTOBER, 1827. N. S. Vol. I. p. 56—76.

AS PRINTED BY MR. PAL-
GRAVE.

AS PRINTED IN THE RETROS-
PECTIVE REVIEW.

“*The Record Commission, to which we are indebted for these valuable editions to historical, antiquarian, and biographical literature, has existed nearly thirty years, during which period about*

“The Record Commission, to which we are indebted for these valuable additions to historical, antiquarian, and biographical literature, has existed nearly thirty years, during which period about fifty folio

AS PRINTED BY MR. PAL-
GRAVE.

fifty folio volumes, each tending to the illustration of some or all of these subjects, have been given to the public. Although the former works which have issued from the Commission vary as much in their general interest as in the manner in which they are executed; though it may be doubted whether the most essential documents have always been selected, or whether the private wishes of certain individuals have not had an improper influence, WE CHEERFULLY BEAR TESTIMONY TO THE HIGHLY IMPORTANT BENEFITS WHICH HAVE BEEN CONFERRED UPON HISTORICAL RESEARCHES. It is gratifying to find that the energy of the Commission has rather increased than lessened; that the most recent of its publications are the most worthy of commendation. 'The Parliamentary Writs' consist,

First, Of a chronological abstract of all the instruments contained in the volume; and which, being very WISELY

AS PRINTED IN THE RETROS-
PECTIVE REVIEW.

volumes, each tending to the illustration of some or all of those subjects, have been given to the public. Although the former works which have issued from the Commission vary as much in their general interest as in the manner in which they are executed; though it may be doubted whether the most essential documents have always been selected, or whether the private wishes of certain individuals have not had an improper influence, we cheerfully bear testimony to the highly important benefits which have been conferred upon historical researches. It is gratifying to find that the energy of the Commission has rather increased than lessened; that the most recent of its publications are the most worthy of commendation; [and that they form an honourable contrast to the jobbing, unsatisfactory, and disgraceful manner in which some of the earlier volumes, the books misnamed a "Calendar to the

AS PRINTED BY MR. PAL-
GRAVE.

AS PRINTED IN THE RETROS-
PECTIVE REVIEW.

WRITTEN IN ENGLISH, FORMS
A KIND OF ANALYSIS OF
EACH RECORD, ADAPTED TO
THE MOST GENERAL READER."

Patent Rolls," and Calendars to the "Inquisitiones Post Mortem," for example, have been edited. We regret much that we are prevented on the present occasion from inquiring how the Record Commission has performed its duties; the way in which it is conducted; and the objects which it has accomplished, and still purposes to attain. This, however, will probably be the subject of a future article; and we shall now only notice such of its publications as have appeared in the present year, commencing with those which relate to the earliest period, rather than attending to the order in which they were published.]
'The Parliamentary Writs' consist,

First, Of a chronological abstract of all the instruments contained in the volume; and which, being very wisely written in English, forms a kind of analysis of each record, adapted to the most general reader."

The whole of this passage is suppressed by Mr. Palgrave.

The only alteration in the succeeding five paragraphs are, that Mr. Palgrave has printed every word complimentary to himself, or which supports his case, in capitals; and the next mutilated passage is that in which he has *suppressed* a sharp rebuke for his unfairness towards other writers:

AS PRINTED BY MR. PAL-
GRAVE.

“ In the chronological abstract, the editor has very properly introduced such extracts from contemporary historians, or other sources, as illustrate the subject. **MANY OF THOSE NOTES CONTAIN ORIGINAL INFORMATION OF GREAT VALUE, PARTICULARLY IN THE CORRECTION OF THE DATES OF INSTRUMENTS.** In his observations, however, he appears to shrink with horror from citing any existing writer, excepting the author of ‘The Lords’ Reports,’ for which his veneration seems to be of the highest nature, though we could fill several sheets with the gross blunders that are to be found in them; but it is an official document, and as such it becomes, we presume,

AS PRINTED IN THE RETROS-
PECTIVE REVIEW.

“ In the chronological abstract, the editor has very properly introduced such extracts from contemporary historians, or other sources, as illustrate the subject. Many of those notes contain original information of great value, particularly in the correction of the dates of instruments. In his observations, however, he appears to shrink with horror from citing any existing writer, excepting the author of ‘The Lords’ Reports,’ for which his veneration seems to be of the highest nature, though we could fill several sheets with the gross blunders that are to be found in them; but it is an official document, and as such it becomes, we presume, a sacred object in the eyes of

a sacred object in the eyes of
a sub-commissioner.

a sub-commissioner. [Some people may, however, be sufficiently 'unofficial' in their opinions as to consider that it was rather the editor's duty to have cited such works, whether they emanated from authority or from private persons, as contained the most ample illustration of the respective records. Were it not for reasons which we cannot explain, we would point out one instance in which he has omitted to allude to an elaborate article written exclusively to prove the authenticity of the document to which he has appended a note; and which article we are prepared to shew was the sole cause of the appearance of those "valuable remarks" in the "Fourth Peerage Report," to which he refers. Of this fact Mr. Palgrave was not ignorant; and we could specify other places where similar, though somewhat less flagrant, disregard of the exertions of his fellow-labourers in the historical vineyard are to be found."]

This passage is suppressed by Mr. Palgrave.

It did not suit Mr. Palgrave's purpose to add

H

the concluding passages of this criticism, but as they shew that my opinion of the "Parliamentary Writs" was then precisely what it is at present, they are inserted in the Appendix, marked U.

Let that article, *in its entire state*, be read by any indifferent person, and let it be compared with the remarks on the "Parliamentary Writs" in the "Observations," and I confidently ask if there be any other inconsistency between them than what a knowledge of the expense of the work has produced? With respect to the change in my opinion, in consequence of that knowledge, I have already said all which is necessary. But Mr. Palgrave has attributed words to me I never used, and given a meaning to those which I did use which I never intended them to bear. He says, of the Digest, that "he took the greatest pains to convince "me and the public of its propriety," and "CALLS "UPON THE RECORD COMMISSIONERS TO ADOPT "THE SAME PLAN IN ALL THEIR OTHER PUBLICATIONS."* Now I have *never said any such thing*. The passages to which it is wished to give this intrepertation, are those printed in capitals in pages 28 and 29 of his "Remarks,"† but what I meant by them was, that in the *Indices Nominum* to the works printed by the Commission, there

* "Remarks," page 31. † But see "Remarks," page 30.

should be a general reference, under the usual manner of writing a particular name, to every page where it occurs with a variation in the spelling, and that when the name is inserted in the Index under any such variation, there should always be a reference to the general method of writing it. For example, in the instance cited of Deincourt. Under DEINCOURT every reference should occur, whether spelt as "Ayncourt," "Deincourt," "Deyncourt," "Diencourt," or "Deyngcourt," whilst under each of these names the page in which it is so noticed should be mentioned, with the addition of the words, "*Vide* DEINCOURT."

I applauded the intention of printing all Parliamentary Records in 1827, and I applauded it in 1830;* but I condemned in 1827, as I condemned in 1830,† the impropriety of *reprinting* the "Rolls of Parliament," and of calling the volume of the "Parliamentary Writs and Writs of Military Summons," which commences with the reign of Edward the First, the *first* volume.‡

To the seventh charge, therefore, I reply, that my opinion of the utility and value of every part

* See "Observations," page 99, where I have said, "It is conceded, that it is desirable that all Parliamentary Records should be printed."

† See "Observations," page 108.

‡ See Appendix U.

of the "Parliamentary Writs" is the same it was in 1827, but that, being *now* aware, from knowledge *recently acquired*, of the extent to which the Digests, &c. will carry the work, and of the heavy expense attending it (facts which were *always* before the Editor and the Commissioners), I think it improper to pursue that plan, and consider that it never ought to have been adopted.

VIII. The eighth charge is, that though I am consistent in stating that the "Parliamentary Writs" are incomplete, and that a portion of the work is a reprint of materials already before the public, my consistency "is merely a perseverance in error; "for, though there is so much truth in the assertion as to prevent its being *literally* untrue, still "if the assertion be tried by a moral test, it is not "true. This your lordship will discover by reading the statement (No. XI.) to which I have "before referred. This statement, with the exception of the two last paragraphs, was sent to "Mr. Nicolas whilst his pamphlet was in progress, "but he has not chosen to take any notice thereof." —*Remarks*, p. 32.

I really know of no other way of trying a mere matter of fact than by examination and comparison. Of the mode in which such facts are to be tried by

a "moral test" I am as ignorant as I am what "an abstract idea" of a man is. I have asserted, and most distinctly repeat, that the first volume of the work professing to be a perfect collection "of the Parliamentary Writs, and Writs of Military Summons," is incomplete, because the *first volume* does not contain any earlier writs of military summons, or writs to parliament, than of the first year of the reign of King Edward the First, nor is there one word in the preface, or any other part of the volume, to inform the reader that earlier writs are preserved; *whereas, not only are there writs of military summons, of the reigns of John and Henry the Third, but a writ of summons to parliament of the 49th of Henry the Third,* and those writs have been printed by the Lords Committees on the Dignity of a Peer of the Realm.†*

Now, if this does not justify my terming the collection "imperfect," I am at a loss for the mean-

* Prynne considers the first writ of summons extant to be that of the 6th of John, and the next that of the 26th of Henry the Third, both of which are printed by Prynne and in the Appendix to the Reports of the Lords Committees. The Writs of Summons of Peers to Parliament were first printed by Sir William Dugdale in 1685.

† It was, I presume, for pointing out and reprehending this omission, in the "Retrospective Review" (See Appendix U), that Mr. Palgrave was offended with me in November, 1827.

ing of the word ; and all the tests in the world, "moral" or physical, will not render the assertion untrue. You, my lord, are referred, for proof that it is not true, to the letter to the Speaker (marked No. XI. in Mr. Palgrave's Appendix). All that seems to me to apply to this point in that letter is, that circumstances induced Mr. Palgrave to commence printing documents of a comparatively "later era ;" and he says "that all persons, in the "slightest degree acquainted with the antiquities "of the constitution are fully aware that Parliamentary Records, in the proper sense of the "term, do not begin until the reign of Edward "the First." This I take leave to doubt, and I would mention the existence of the writs of the 49th of Henry the Third, which are the most important historical documents extant, in refutation of that theory. But his work is also a "Collection "of all Writs of *Military Summons*," and do they too commence with the reign of Edward the First? I have not questioned the propriety of postponing the publication of writs of earlier reigns ; but, if it were *originally* Mr. Palgrave's intention to print those writs, which I do not believe, it was his duty to have alluded to them in the preface to his work, and to have called that volume the *second* volume. The letter in question (No. XI.) he tells your lordship "was sent to me whilst my pamphlet

“ was in progress, but I did not choose to take any notice thereof.” *

A greater want of candour was never evinced than is displayed in this observation, nor was ever a remark made more calculated to create a false impression.

It was this very letter which I complain of being concealed from me for eleven months after it was written; which, even then, Mr. Palgrave sent me in a garbled state; and his refusal of my request to see it in a *perfect* condition, induced me to discontinue my correspondence with him! But there are other facts besides these which he did not think it prudent to mention, and which his suppression of my letters prevented from appearing. In reply to his communication of the 22nd of November last, (Appendix, G) I informed him that every page of my work in which he was alluded to was *actually printed* (Appendix, H); and, on the 24th, he sent me the imperfect copy in question, and refused my request for an entire transcript, (Appendix, M and N). Yet, under these circumstances, he has the boldness to say, he sent me this letter with the exception of the two [three] last paragraphs, whilst my pamphlet was passing through the press, and that I “ did not choose to take any notice of it” !!!

* “ Remarks,” page 32.

I did not consider myself bound to notice an imperfect document; and the parts which Mr. Palgrave permitted me to see did not contain any statement more favourable to his purpose than occurs in his letter of the 22nd of June (marked F), which I had carefully read, and alluded to.

My reply to the eighth charge is, therefore, that my assertion that the first volume of the "Parliamentary Writs" (if considered as the *first* volume) is imperfect; and that one third has been before printed *at length*, at the public expense, is strictly, literally, and morally true; and that if Mr. Palgrave wished me to notice his letter to the Speaker, dated the 31st of December, 1829, he ought to have sent me an *entire*, instead of a *garbled* copy.

IX. The ninth charge is, "that Mr. Nicolas has
 " always refused to obtain any information except
 " such as pleases himself; and a third point, and
 " one of great importance, remains to be noticed,
 " on which Mr. Nicolas has wilfully kept himself
 " in the dark. You will observe, that with respect
 " to the Parliamentary Rolls and the inedited
 " matter, he asserts that the first, *i. e.* the Rolls, do
 " not need republication, and seems to throw a
 " doubt on the existence of the second. Now as to
 " these matters, upon which Mr. Nicolas speaks

“ with so much confidence, HE IS WHOLLY UNABLE
 “ TO JUDGE, INASMUCH AS HE HAS NEVER READ
 “ A LINE OF THE DOCUMENTS IN QUESTION, his
 “ ignorance of their contents having subsisted, and
 “ being still subsisting, under the following cir-
 “ cumstances :

“ In June last, being opposed as Counsel to Mr.
 “ Nicolas on a peerage claim, I thought it right
 “ and fit to shew him that I entertained no ill-will
 “ towards him, and I went up to him in the House
 “ of Lords, and shook hands with him. On coming
 “ out of the house, Mr. Nicolas thanked me, and
 “ said that he did not think that I should have
 “ done so. Some little time afterwards I addressed
 “ a letter to him, dated 22d of June, 1830, re-
 “ questing him to inspect the inedited Parliamen-
 “ tary Petitions. Mr. Nicolas did not answer my
 “ letter. But on a subsequent meeting at the
 “ House of Lords, Mr. Nicolas promised to accept
 “ my offer,—a circumstance which he has for-
 “ gotten : but a very worthy and respectable friend
 “ of his, Mr. Gwilt, did advise him to do so, and
 “ perhaps he may be now able to refresh his me-
 “ mory. Mr. Nicolas enlarges upon his ‘ motive’
 “ —may I state mine ? I adopted the foregoing
 “ steps, not from any wish to pay court to Mr.
 “ Nicolas, but because I was informed that Mr.

“ Nicolas was preparing further attacks, and that he
 “ had declared himself to be my ‘adversary’ and
 “ ‘enemy.’ I certainly inferred as much from his
 “ conduct; but as I felt, and feel, that I am
 “ neither his adversary nor his enemy, I did wish
 “ to subdue these feelings in a person practising
 “ in the same profession as myself, and with whom
 “ I might frequently be brought in contact. Fur-
 “ thermore, I wished to give him an opportunity
 “ of reconsidering the subject. For I did not like
 “ to be driven to the necessity of displaying a
 “ person who had been upon very friendly terms
 “ with me, as a man who has so altered his opinions
 “ that his judgment can only be vindicated at the
 “ expense of his sincerity. I endeavoured to avoid
 “ any appearance of rivalry towards Mr. Nicolas,
 “ or to expose him. Neither his letters nor his ‘Re-
 “ trospective Review’ were ever produced or shewn
 “ by me to any person whatever, excepting to Mr.
 “ Protheroe; for when I laid my case before the
 “ Commissioners, I did not think it right to avail
 “ myself of the contradictions of Mr. Nicolas; I
 “ merely laid his assertions before them, and my
 “ answer.

“ This detail is tedious, but it is relevant. No-
 “ thing further passed till last November, when
 “ Mr. Nicolas informed Mr. Hudson Gurney that

“ he was preparing an attack upon me. I was
 “ certainly surprised at this information ; for after
 “ my offer of the 20th June, I did not think it
 “ possible that Mr. Nicolas would commit himself
 “ by giving an opinion upon matters of which he
 “ knew nothing, and therefore I wrote a civil letter
 “ to him, of which the following is an extract :

‘ The statements in your anonymous publications concern-
 ‘ ing me abound in errors, which I am willing to attribute to
 ‘ your want of acquaintance with the subject ; and I will give
 ‘ you the means of removing such errors by ocular inspection
 ‘ and actual trial.

‘ For these purposes, I request that you will do me the
 ‘ honour of calling here. You may then examine such of the
 ‘ volumes of *inedited matter* as are bound and arranged. You
 ‘ may then proceed with me to the *Tower* or to the *Chapter*
 ‘ *House*, and by collation of the records with me, you will
 ‘ ascertain the labour which I bestow. And you will then
 ‘ have the means of giving a fair and honest account of the
 ‘ work which you criticise.’

“ A correspondence ensued, in which this offer,
 “ **FOUR TIMES REPEATED** by me (once through the
 “ medium of a common friend, see No. X.), was
 “ **FOUR TIMES REFUSED.** Mr. Nicolas must best
 “ know his reasons, but I must confess that I can-
 “ not possibly understand or conjecture why a gen-
 “ tleman, anxious to promote historical knowledge,
 “ and who writes so familiarly about Records,

“ should decline to acquire a practical knowledge
 “ of them.” *Remarks*, p. 33—35.

It is my *present* opinion that the “ Rolls of Parliament ” do not require republication, but where I have “ thrown a doubt as to the existence of “ inedited matter ” I do not know ; nor has Mr. Palgrave referred to a single line I ever wrote to justify such an observation. The following passages contradict his assertion, for I have there expressly admitted the existence of inedited Parliamentary documents ; I suggest in what manner they ought to be printed ; and have said, it is desirable that every thing illustrative of Parliamentary History should be published :

“ In commenting on the ‘ Parliamentary Writs,
 “ and Writs of Military Summons,’ two things are
 “ conceded ; that it is desirable that all Parlia-
 “ mentary Records should be printed ; and that
 “ the Editor of the present edition has executed
 “ the volumes which have appeared in a satisfac-
 “ tory and able manner : hence the objections to
 “ which it is open, so far as the execution of the
 “ work is concerned, are not, with one exception, to
 “ be attributed to the individual by whose labours
 “ it has been produced.” *Observations*, p. 99.

“ The grounds for reprinting the ‘ Rolls of Par-
 “ liament ’ are said to be that much new matter has

“ been discovered, and that the present edition is
 “ incorrect. The new materials which have been
 “ found, and which consist chiefly of Petitions to
 “ Parliament, should be printed as a *supplement* to
 “ the present edition of the ‘Rolls of Parliament,’
 “ and the errors in the old edition, which either in
 “ extent or importance, are not very great, could
 “ be there noticed.” *Observations*, p. 108.

Upon these points, the necessity of reprinting the “Rolls of Parliament,” and the existence of inedited matter, Mr. Palgrave says I am “wholly unable to judge, inasmuch as I have never read a line of the documents in question.” Of the “Rolls of Parliament,” perhaps few persons have a more intimate knowledge, at least if knowledge of a subject is to be gained by almost daily reference either for literary or professional purposes, than myself; and there is scarcely one of my publications which does not abound in evidence of the fact. That I have detected errors in the printed edition, and that numerous Parliamentary Petitions are omitted, is certain; but I do not consider the former sufficiently great to justify a reprint of those volumes, and I know that the most important of the missing documents cannot be supplied. If, in Mr. Palgrave’s opinion, I was not competent to

“judge” of the existence of inedited matter, without visual inspection of it, he must be understood to mean, that his having been paid for making or procuring transcripts of those documents, and his description of them in the Parliamentary Returns, are not sufficient evidence of the fact. The new materials, according to his account, consist chiefly of inedited Petitions,* a class of record with which I am well acquainted, because innumerable Petitions of *precisely the same nature* occur in the present edition of the “Rolls,” many of which Petitions are repeatedly referred to in my works. For this reason I did not think it necessary to inspect his collections, but I shall prove that I did not *on any occasion* “refuse” to do so.

It is here necessary that I should describe what took place between Mr. Palgrave and myself from the renewal of our acquaintance in May last, until it terminated. According to his statement, we met in the House of Lords in June; that some little time afterwards he addressed a letter to me,

* The Documents mentioned in p. 56 of Mr. Palgrave's Pamphlet are printing in the “Parliamentary Writs,” which is a distinct work from the proposed new edition of the “Rolls of Parliament.”

† Reply, page 33.

dated 22nd of June, 1830, requesting me to inspect the inedited Parliamentary Petitions;* that I did not answer his letter; that on a subsequent meeting at the House of Lords "I promised to accept the offer," a circumstance which he observes, "I have forgotten," but that my friend Mr. Gwilt advised me to do so; that nothing further passed until he heard from Mr. Hudson Gurney, in November last, that I was preparing an "attack" upon him, at which he says he was surprised, for, after his offer of the 22nd of June, he did not think it possible I would commit myself by giving an opinion upon matters of which I "knew nothing," and that he, therefore, wrote me "the civil letter," of which he gives an extract,† and which will be found at length in the Appendix (marked G), inviting me to inspect his materials; that a correspondence ensued, in which this offer was four times repeated, once through the medium of a common friend, and that I "FOUR TIMES REFUSED it.‡"

On the 12th of May last we met, as he states, in the House of Lords as Counsel in the Berkeley Peerage Case. From the style and temper of his notes of the 30th of November and 1st of Decem-

* Marked F in the Appendix.

† "Remarks," p. 35.

‡ Ibid.

ber, 1829 (marked A and B in the Appendix) his courtesy on the occasion was unexpected, and I expressed the surprise and pleasure which the circumstance gave me. Some conversation took place, both then, and at our next meeting in the same place, on the 16th of June, but I do not remember that I promised to call and see his collections for the new edition of the "Rolls of Parliament;" nor did Mr. Gwilt give me any advice on the subject, as is shewn by his letter in the Appendix, (marked Q). I distinctly recollect saying, however, that if he would continue on friendly terms with me, notwithstanding my determination to expose, and if possible remedy, the abuses of the Record Commission, and Record Offices, I should be glad; but that I was resolved to let no consideration whatever prevent my doing every thing in my power to produce a change in the present system.

On the 22nd of June, I received the letter from Mr. Palgrave which is marked F in the Appendix, at which time I was too fully occupied to reply to it in the manner I desired; and when we next met in the House of Lords, on the 7th of July, I apologized for not answering his communication of the 22nd of June, in consequence of having been

much engaged, but I promised to do so soon. At that moment I was seriously unwell, and was confined for some weeks to my house, after which I went to the sea-side. But though illness prevented my writing to Mr. Palgrave immediately after our last interview, a circumstance occurred within a few weeks, which made me resolve to have no farther correspondence with him. I had cause to believe that he wrote the letter to the Speaker, before noticed,* and had circulated some of my *private* letters, and I consequently determined that our intercourse should cease. In November last I accidentally met Mr. Hudson Gurney, when a conversation took place which induced me to describe the nature of my volume then in the press, and the "Parliamentary Writs" being mentioned, I stated what my opinions on that work were. On the 22nd of that month I received Mr. Palgrave's letter (marked G in the Appendix), requesting me in an urgent manner to inspect his collections. That letter, which he has SUPPRESSED, commenced not in his usual manner, but with "Sir," a fact which is material, inasmuch as it manifests the terms on which he himself wished us to be, though he was then ignorant of the resolution I formed after our last meeting. At that moment the parts of my

* See page 14.

book in which he is adverted to were *actually printed*; and in reply to his letter, I explained, at some length, my reasons for not thinking it necessary to see his collections, and for declining his correspondence. To that letter (marked H) I particularly refer. It was SUPPRESSED by Mr. Palgrave, although (I do not say *because*) it satisfactorily refutes some of his allegations, and accounts for what, without that explanation, seems capricious and unjust. Whether that letter merited the rude reply it met with, or which of us was influenced by "bad temper," the reader will determine.

On the 23rd of November I received a note (marked I in the Appendix), which he has also SUPPRESSED, in which he renewed his request in a tone and manner that did not deserve the courteous answer he received. My letter of the same day, in which I answered that communication (marked K in the Appendix), but which Mr. Palgrave has SUPPRESSED, shews, I trust, that his irascibility did not prove contagious. I therein informed him that I had no recollection of having ever promised to inspect his collections, but proposed to send him every line of what I was about to publish concerning him, and to cancel erroneous statements upon any matters of fact which he would point out. To what other result but a cor-

rection of errors in my "Observations," could an inspection of Mr. Palgrave's materials have led? I offered, however, to make those corrections upon *his own assurance* of their existence; and he who refuses to avail himself of such an offer can have no right to complain of mistakes concerning him, in a statement which he declined to correct. That he did decline is apparent from his letter of the 24th of November (marked L in the Appendix).

On the 24th of November, the morning after I had forwarded the letter containing the proposal to send him the printed sheets (and before I had received the reply just cited), my friend Mr. Gwilt called upon me, with a message from Mr. Palgrave of so rude and personal a nature that I paused before I determined upon the course it became me to adopt. Its purport was, that if I did not accept his proposition to see his collections, he would publicly proclaim at the next meeting of the Society of Antiquaries that I was indifferent to the truth of the statements I was about to publish, or words to that effect. A menace of this kind was not a very likely way to obtain a concession, or to induce me to alter any determination I might have previously formed. Mr. Gwilt described to me the excited state of mind in which Mr. Palgrave

appeared; and after satisfying him, by references to the printed edition of the "Rolls of Parliament," and by explaining the grounds upon which my opinion of Mr. Palgrave's labours were formed, that I was perfectly aware of the nature of his collections, he left me convinced that a compliance with the request was unnecessary, and that, considering the agitation under which Mr. Palgrave was suffering, circumstances might arise from an interview with him, which could not be too carefully avoided. Mr. Gwilt's account of this transaction will be found in the Appendix (marked R), and that gentleman immediately afterwards wrote Mr. Palgrave the note dated 24th November.* By a reference to the two copies it will be seen that Mr. Palgrave did not print that note as it was written, in consequence of which Mr. Gwilt dispatched the note marked Q, on the appearance of his pamphlet.

It cannot create surprise that Mr. Palgrave's message confirmed my resolution to have no farther intercourse with him, excepting in the presence of a third person; still I had by no means resolved to refuse seeing his collections, and I submitted

* No. X. in the Appendix to the "Remarks," and marked P in the Appendix to this Tract.

the subject to another friend, who concurred in the opinion of Mr. Gwilt. It was my most anxious desire to avoid a personal quarrel upon a question so entirely of a public nature; and, from the nature of his message, and the style of his letter of the 23rd of November (marked I), but still more from the state of mind which he was described to be in, it was extremely doubtful whether he could enter into a colloquial discussion without suffering his temper to get the better of his discretion. On the evening of the day on which I saw Mr. Gwilt I received the letter No. IX. in the Appendix to the "Remarks," which I have reprinted (marked L).^{*} As this communication was written in a much more temperate manner, I intended to accept his proposition of meeting him, for the purpose of inspecting the materials for his works, in the presence of Mr. Hudson Gurney and Mr. Gwilt. In that letter, however, he sent me the *extracts* from his communication to the Speaker, and not thinking it prudent to continue a correspondence with him until I was in possession of every thing which he had *privately* circulated, I replied by the letter marked M in the Appendix, which, as well as his answer (marked N), he has SUPPRESSED. In

* Some variations between those copies are there pointed out.

that letter I said—" You seem to have so com-
 " pletely mistaken the view which I take of your
 " works, and the motives by which I am actuated,
 " that I really fear no useful result can arise from
 " prolonging this correspondence. I offered you
 " the means of correcting any error into which I
 " may have fallen by reading the sheets of the
 " volume in which you are adverted to in an un-
 " published state. This you decline, but press
 " on me to inspect your collections, the nature
 " and extent of which I am well aware, because
 " you have particularly described them in the
 " 'Parliamentary Returns.' Under these circum-
 " stances I know not exactly what I can do, with
 " *propriety*, to satisfy you. I am morally certain
 " that an interview will not alter my opinion as to
 " the amount of the remuneration which *any* Sub
 " Commissioner *ought* to receive, supposing that
 " six hours *per diem* and the highest talents were
 " bestowed on any work undertaken by the Com-
 " mission. Now, as I have always admitted your
 " talents and zeal, and do not deny that you have
 " given that number of hours daily to your duties,
 " what effect can your shewing me the collections
 " which have been formed by the exertion of those
 " talents, zeal, and labour, have upon my opinion
 " of the remuneration which you ought to receive ?

“ By refusing my offer to peruse the sheets of
 “ my work in an unpublished state, you wilfully
 “ keep yourself in ignorance of my opinions, and
 “ yet argue as if you were perfectly acquainted
 “ with them ; whereas, in all you say about my de-
 “ nying that the Parliamentary Petitions should be
 “ printed, about my thinking your works destitute
 “ of merit, that the Digests, &c. ‘ are useless,’ and
 “ still more, that I have in any way attempted to
 “ detract from your professional reputation, you
 “ are entirely mistaken. The direct contrary is
 “ the fact, and to prove to you that I have no
 “ desire to misrepresent you, I have printed the
 “ greater part of your observations in the ‘ Par-
 “ liamentary Return’ in my present work.

“ My *opinions* remain unaltered on the points
 “ before adverted to, and particularly with respect
 “ to your printing my *private* letters ; but your
 “ last communication was written in the style in
 “ which a controversy ought to be conducted be-
 “ tween gentlemen, and I therefore retract the
 “ resolution I formed on receiving your message
 “ through Mr. Gwilt, not to have any further in-
 “ tercourse with a person who suffered his temper
 “ to overcome his discretion. I have no desire to
 “ irritate or offend you, far from it, but you can
 “ easily believe I will not be treated with rude-

"ness. Before, however, I finally decide upon
 "the course which I shall adopt, in consequence
 "of your letters, I must insist upon being favored
 "with AN ENTIRE COPY of the letter dated the
 "31st December, 1829, and addressed to 'The
 "Official President of the Board of Commission-
 "ers;' together with a copy of all other papers
 "or remarks submitted by you in which I am in
 "any way ALLUDED TO. This request proceeds
 "from the conviction that what you have sent me
 "is a partial extract, and I have a right to be
 "put in possession of a *perfect copy* of any docu-
 "ment relating to me which you may have *pri-*
 "*vately* printed, before I enter into any discussion
 "on the subjects referred to in it. Upon comply-
 "ing with this demand depends whether our cor-
 "respondence does not close with this letter."

Appendix M.

As Mr. Palgrave informed me in reply, "I do
 "not consider myself as authorised to make any
 "further communication whatever concerning any
 "papers, which I may or may not have laid before
 "the Record Board," (*Appendix N*) our corres-
 pondence terminated.

It cannot be necessary for me to point out that
 Mr. Palgrave's account of my conduct, in relation
 to his offer to inspect his collections, is at variance

with facts. No one can read my letters on the subject without forming a correct opinion, and as I am very far from being that gentleman's enemy, I will not add to the disapprobation which his publication of private letters, and his distortion and suppression of facts are likely to excite in the mind of every honourable and disinterested man, by commenting upon his conduct. For his sake I lament it, and respecting as I do his talents and zeal, I sincerely regret the mortifications to which it may expose him.

Mr. Palgrave says, in his pamphlet,* that he did not shew my letters to any other person than Mr. Protheroe. Why then did he not remove the impression from my mind, that "one of my private letters had not only been shewn to various persons, but that it had been *printed* with the view "of convicting me of inconsistency," in his reply to my letter written on the 22nd of November, in which I expressly assign that impression as my reason for breaking off all further communication with him?† Was I not justified in concluding, from the answer which he gave to that passage, namely, "Your letters, though private, are only

* "Remarks," page 34.

† See Appendix H.

“ the echoes of the opinion professed by you in
 “ the article in the ‘ Retrospective Review,’ ”*
 that my accusation was just? In acknowledging
 the letter which contained that remark, I observed :
 “ Without meaning any disrespect, I must be al-
 “ lowed to decline continuing a *private* corres-
 “ pondence with a gentleman whose opinion of
 “ the manner in which *private* letters should be
 “ used differs so materially from my own.”† In
 his answer, Mr. Palgrave unequivocally asserted
 his *right* to use my private letters in the manner
 I suspected, nor did he deny that my impression
 was correct:‡ and he repeated nearly the same
 expression in the last letter (excepting an unim-
 portant note§) that I ever received from him. ||

If, in his note of the 23rd of November (marked
 I), he had stated what he has said in his pam-
 phlet¶ instead of confirming my previous im-
 pression, I should not have hesitated one moment
 in complying with his wishes, but from the con-

* Appendix I.

† Appendix K.

‡ Appendix L.

§ The note alluded to was a request for a copy of his letter
 of the 22nd of June, 1830 (Appendix F), which I, of course,
 sent him.

|| See Appendix N.

¶ “ Remarks,” page 34.

duct of which he *tacitly*, if not expressly, admitted himself guilty, I considered that I ought not, as a matter of prudence and propriety, to hold any further private communication with him.*

My answer to the ninth charge is, therefore, that I have never refused to obtain information; that I was fully competent to give an opinion upon Parliamentary Records without seeing Mr. Palgrave's materials for a new edition of the "Rolls of Parliament;" that my hesitation in doing so arose *solely* from unwillingness to have any farther intercourse with him, for the reasons which I have assigned; and that notwithstanding that unwillingness I should probably have acceded to the proposition, had he not refused to comply with my demand for an *entire* copy of a printed letter containing allusions to me, which letter he had *privately* circulated eleven months before.

X. The tenth charge is, that although "the Parliamentary Petitions and Writs are objects of curiosity, merely as specimens of hand-writing, Mr. Nicolas has never seen one of them; he has never seen any of the Tower Records, excepting

* I scarcely need observe that I do not consider our correspondence, after the 22nd of June last, of a *private* nature.

“ one or two Rolls and one or two Inquisitions.*
 “ Mr. Nicolas has never passed an entire hour at
 “ the Tower in the whole course of his life; he
 “ knows nothing of records, except by guess and
 “ theory; and I cannot imagine why he should
 “ refuse himself the pleasure of reading matters
 “ so congenial to his inquiries. Yet Mr. Nicolas
 “ steadily refused; and this is the correspondence
 “ to which he alludes (p. 149), BUT AT THE SAME
 “ TIME CAREFULLY CONCEALING ITS NATURE.”
Remarks, p. 36.

The inference intended to be drawn from these observations is, that I am an incompetent judge of Records. Can Mr. Palgrave seriously mean to assert that I have never seen a Record, that the hand-writing of the reign of Edward the First is an object of *curiosity* to me, and that I know nothing of Records excepting by “guess and theory?”† It is true that the greater part of the last eight years of my life have been passed, not in the manual

“ * The Scrope and Grosvenor Roll, edited by Mr. Nicolas, has been collated, not by him, but by Mr. William Duffus Hardy and Mr. Bentley.” Note to “Remarks,” page 36.

† On the 1st of December, 1829, I had however the honour to be considered by Mr. Palgrave, *who is at all times consistent*, as “a gentleman well acquainted with Records.” See Appendix B.

labour of transcribing and indexing Records, but in applying the information which those to which I had access contained in illustration of History. That I have, however, myself occasionally transcribed and collated documents of various early reigns is well known; and it is not likely that I should consider the sight of Parliamentary Petitions a *treat*, which I was to purchase at the expense of coming personally into collision with a gentleman of whose conduct I had cause to disapprove, and who, to use the words of a friend who saw him, was then "labouring under symptoms of strong excitement."* Under other circumstances, I should have been most happy to accept Mr. Palgrave's offer.

Rational persons may think that the qualifications of an accurate transcriber are not requisite to enable me to appreciate the Historical, Antiquarian, or Legal value of a Record; to be sensible of the abuses which exist in Record Offices, or of those which have arisen from the Record Commission; to pronounce an opinion upon the propriety of an improved system; to assist in carrying the necessary improvements into effect; or to deem it an act of

* Appendix R.

improvident folly to print the same document two or three times within fifteen years at the cost of the country. If, however, I am in Mr. Palgrave's eyes incompetent for such tasks as these; if, after the research and labour which were necessary to produce the works he is pleased to eulogize, I still know nothing of the public muniments but by "guess and theory," I must be contented with the merit which he condescends to allow me,—no matter how inconsistent it may be with ignorance on subjects of precisely the same description—"That there is no person living whose opinion of the utility of such compilations is more valuable and conclusive than that of Mr. Nicolas."*

That I have not been so frequently in the Tower as I have wished is my misfortune rather than my fault; and by a refinement in cruelty, I am at once debarred from what I desire, and reproached for the privation. Until May, 1828, I did not know a single member of the Record Office in the Tower, and he who, as Mr. Palgrave has obligingly com-

* "If Mr. Nicolas will give it uninfluenced by bad temper."
—"Remarks," page 31. In imitation of Mr. Palgrave, I have, on this occasion, omitted so much of the paragraph in the text as it does not suit my purpose to quote.

municated to the world,* was too poor to partake of the luxuries of a club, was ill suited to pay fees, however small, for inquiries of a purely literary nature, much less such fees as that Office demands. After the appearance of the article on Record Offices in the "Westminster Review," in April, 1829, no one knows better than Mr. Palgrave that it was impossible I could have gone to the Tower in consequence of the displeasure which those remarks excited. It was this circumstance which enabled him to make the observation about the Scrope and Grosvenor Roll.†

This is not the place to detail the history of that work. It is sufficient to state that I read the proofs of the whole Roll, with what purported to be an examined office copy; that upon such perusal it was evident that the transcript had not been accurately examined, and that a collation with the original was requisite. Mr. Bayley, the senior clerk in the Record Office of the Tower, thereupon promised to examine the sheets with the record, but in consequence of the very considerable delay which occurred in obtaining the first sixty-four pages, Mr. Bentley, to whose press the work

* See Appendix No. III. to the "Remarks."

† See note to p. 36 of the "Remarks," and p. 84, ante.

was committed, finding that an examination of the original documents was, by the regulations of the Office, allowed to parties paying the Office fees for copies, offered to collate the remaining sheets himself, subjecting any word of difficulty to Mr. Bayley's judgment, who at length consented to this arrangement; and the collation was made by Mr. Bentley, during which many blanks in the transcript were supplied. On his expressing regret that the blanks in the earlier pages had been suffered to remain without an attempt to restore the omitted words, Mr. Thomas Duffus Hardy most obligingly offered to recollate those sixty-four pages, and conjointly with his brother, did so. By their efforts not only were the blanks supplied, but many material errors in the office copy corrected. So far, but so far only, had Mr. Hardy any thing to do with the collation or examination. Of the service rendered by Mr. Bentley I shall have to speak elsewhere, and here it is only necessary to add that I should have been happy to have taken upon myself the collation of the sheets with the Roll, as well as with the office copy, had it not been felt by me as well as by others, that it was better to accept Mr. Bentley's offer, by which means I was sure to avoid any

unpleasant collision with some individuals, to whom the then recent expression of my opinion respecting the regulations of record offices had, I was aware, given offence.

If, by Mr. Palgrave's remark respecting the few occasions on which I have visited the Tower, it be intended to impeach my competency to judge of its regulations, it is extraordinary that I should have committed such trifling mistakes in speaking on the subject. A few examples of serious errors in my "Observations" would, he may be assured, have answered his purpose infinitely better; but FACTS are not weapons to which he is accustomed, or if they be, they are not those which he has thought proper to wield against me. To obtain access to the Tower, as well as to all other depositories of Records, for the public, and, as one of the public, for myself, in a manner suitable for literary investigation, is an object which, for three years, I have warmly and incessantly advocated; and the Record Commission was too intimately connected with the subject not to be noticed. Among the many sacrifices I have incurred in the prosecution of what, in every point of view, is an important improvement, is the loss of Mr. Palgrave's acquaintance; and among the reproaches which have attended my exertions are the

charges, insinuations, and epithets in Mr. Palgrave's pamphlet.

XI. The eleventh charge is that of disingenuousness, which, from Mr. Palgrave, is really amusing. He says, that though I allude in the "Observations"* to a correspondence with him, I "CAREFULLY CONCEALED ITS NATURE." He admits that he refused to see the sheets of that work, and cites one passage of his letter of the 24th of November as his reason for doing so.† By refusing, however, to see the sheets before they were published Mr. Palgrave precluded himself from the right of complaining of their contents. All that was incumbent upon me was to notice the existence of the correspondence, the offer which it produced, and the reply made to it.

The reasons which he proceeds to allege‡ in favour of reprinting the "Rolls of Parliament" do not convince me of its expediency, and I still think the Parliamentary documents adverted to should be published as a supplement to the existing edition. Nor am I more convinced by the circumstance that the personages whose names ornament one page of the pamphlet, considered the subject

* "Remarks," page 59.

† "Remarks," page 87.

‡ "Remarks," page 37.

“separately and apart,” even though the other members of the Record Board may have agreed their opinions.* Mr. Palgrave’s respect for many of the individuals he mentions is not greater than mine, but I still do not think them competent to decide on the point, unless they formed their opinions upon the following evidence:—

First, a copy of the printed Rolls which had been *collated with the originals*; the copy so collated having been afterwards attentively examined by the Commissioners, with the view of ascertaining the extent and importance of the errors.

Secondly, a statement of the expenses attending the formation of the Index to the present edition, which is *now*, and has for more than half a century, been in progress, but which will be wholly useless if the present edition be reprinted.

I take on me to assert, that nothing will justify a reprint of the “Rolls of Parliament” but the existence of serious and numerous errors in more than half the contents of the present edition, and that no person is competent to pronounce upon the expediency of such reprint until the first three volumes have been carefully collated with the originals.

It is worthy of observation that Mr. Palgrave

* “Remarks,” page 38.

takes no notice of the Index which is in preparation, and will doubtless say he has nothing to do with it. I admit he has not, but the public who at this moment are paying for it,* and paying Mr. Palgrave £500 per annum at the same time for doing that which will render that Index USELESS, are deeply concerned in the transaction. Lord Redesdale is no more, and a dead lion is proverbially subject to contumely; but if Mr. Palgrave thought formerly, as he does now, of the injudicious nature of the noble lord's proceedings,† it was his duty then to have pointed them out to the other Commissioners. If he did do so, and will authorize me to state it, he will furnish me with as strong an argument against the efficiency of the late Commission, as his assertion of the necessity of reprinting the "Rolls of Parliament" would afford me, if I agreed in his opinion, because the Commission ought to have been aware of, and prevented, the waste of money for the last thirty years on the Index to the old edition. Although that Index is preparing by order of the House of Lords and not by the Commission, he will not pretend that a remonstrance from the Commissioners would have been ineffectual.

* See the "Observations," pages 108 and 137.

† "Remarks," page 32, note, and Appendix F.

From a laudable sense of gratitude, Mr. Palgrave lavishes his praise upon the late Commissioners, but, whilst he points out the manner in which they executed their duties, he does not commit himself farther than by an insinuation that he deems them much more competent for their duties than I consider them to have been. Whatever may be his veneration for those personages, he has no right to make me say what I never did, or intended to assert—that “no nobleman, or person of rank, can possibly possess any historical or parliamentary knowledge.”* All that I have said is that the Commissioners should not be selected for their rank *alone*, but that persons of practical information, and who have distinguished themselves by their historical attainments, should be included.

To the sneer, that I “might condescend to follow the example” of the personages he mentions “in examining a subject before pronouncing an opinion upon it,”† I reply, that had those Commissioners “examined the subject” with one tenth part of the attention which I have given to it, they would not have “pronounced those opinions,” to which the abuses of the Record Commission may be assigned; nor would they have sanctioned the

* “Remarks,” page 39.

† “Remarks,” page 39.

measures of which Mr. Palgrave is, for the best of all possible reasons, so strenuous an advocate.

XII. Mr. Palgrave's next charge is, "It is sufficient for me to affirm, and I do so with great regret, that Mr. Nicolas, when he wishes to attack me, has suppressed every fact which makes against him, and coloured every fact which makes for him, and that his statements are in the highest degree uncandid and untrustworthy; and I do most earnestly hope that this my declaration may be investigated by a competent tribunal." *Remarks*, p. 39.

I am induced to reprint this remark with the view of giving it a direct contradiction. I deny that I have "suppressed any fact which makes against, or that I have coloured any fact which makes for me;" and I deny, in the most positive terms, that my statements are either "uncandid" or "untrustworthy." What I have said about Mr. Palgrave's labours I believed to be literally true, and strictly just; and my opinion upon a re-perusal of my statements, is strengthened and confirmed. But when a gentleman ventures in print to call the assertions of another "uncandid," and "untrustworthy," and to say that he has "coloured"

and "suppressed" facts, he is bound to prove his charges by shewing instances of suppression and unfairness.

Mr. Palgrave has not, however, adduced even *one single example* of the kind, and I consider that what I have said is corroborated by his failing to produce *evidence* to the contrary. Upon the "earnest hope" which he expresses that his "declaration may be investigated by a competent tribunal," I shall say a few words. He, or rather the Record Commission, has been, to adopt his own expression, (for in one of his letters he says I am "not a critic, but a prosecutor!"*) summoned to the highest tribunal in this country—that of public opinion, and he has recognized its competency by meeting me at its bar; but instead of replying to my statements by evidence, he impeaches my motives, loads me with reproaches, and talks of a competent tribunal! That HE may prefer such a "tribunal" as the *late* Record Commission I can easily understand; and it is not surprising that he had reason to believe that his letter to the Speaker in December, 1829 proved, "satisfactory" to that body.

I presume to deny the competency of those judges;

* Appendix L.

and but for the vanity which obscures Mr. Palgrave's judgment, he might have discovered that my charges are directed; not against *him*,—the mere employée of the Commission,—but against the *Commission itself*. I have said, and I repeat it, that a more inefficient board was never constituted; that a more flagrant waste of the public money never occurred. If I ventured to say this in the "Observations," when I considered that *ONLY* a *quarter of a million* had been spent under its authority, what must be my opinion when access to additional evidence has shewn me, that the sum spent by the Commission between 1801 and 1831 amounts to about **THREE HUNDRED AND FORTY THOUSAND POUNDS?*** But I know not what there is for a "tribunal" to investigate about Mr. Palgrave. My remarks in relation to him are, that the plan of the work he edits, however good in theory, is productive of too much expense to be persevered in; that a great

* To this sum must however be *added* the expense of the Commission since March, 1829, which, at the average of the expenditure of the preceding two years, may be estimated at above £20,000. The *Irish* Commission managed to expend £70,754 3s. 9d. in less than twelve years; but no Return about that Commission has been printed since January, 1822. See however a subsequent page for an estimate of the sums spent on the Public Records since 1801.

reduction might be made in the cost of producing that, and every other work published by the Commission, and that it is not necessary to reprint the "Rolls of Parliament." These points he will, in all probability, have the opportunity of discussing before the *new* Commission.

XIII. Mr. Palgrave's last charges, in reference to himself, are, that I "repine at the 'wealth' which has been heaped upon him by the Record Commission," that I think the receipt of "£1200 a year for printing Records and appending a few notes to them is the sole stimulus he feels; that I cannot 'dream of any motive except money;'" that he is the "salaried servant of the public, employed to perpetuate the title deeds of the Constitution;" that I "grudgingly" hold up the sums he has received during seven years; that I count "up one side 'money received,'" "but do not give the other side of the account;" that I "debit him with the cash, and insert the disbursements so as to make them stand as gains, but that I do not give him credit for the work which has been done;" that "I carefully omit stating that the sums paid have been so paid, not only for the volumes which have appeared, but also for the materials which form the basis

“of the whole collection.” *Remarks*, pages 39—42. In another place it is said, that in giving a detailed account of the sums Mr. Palgrave has received, I have “so involved the disbursements as to make them appear as part of the profits.” *Remarks*, page 23.

So far from “repining at the wealth which has “been heaped” upon Mr. Palgrave, I shall rejoice at any riches he may acquire, and the more so, if they be sufficiently extensive to enable him to enjoy “the satisfaction of rendering his services gratuitously;”* provided, nevertheless, that the said riches do not come out of the pockets of the *public*. His remark that he has had no “co-adjutor,” is answered by the fact that the country has paid the same price as if he had; for it is one of my objections to the remuneration which he has received, that he has been paid in as many distinct capacities as if the labour had been performed by as many distinct persons.† For example, as 1. Editor; 2. Transcriber; 3. Corrector of the Press; 4. Calendar Maker; 5. Collator; 6. Abstract Maker; 7. Digest Maker; and 8. Index Maker!‡ whereas most of these duties belong to an

* “Remarks,” page 41.

† See “Observations,” pages 124, 125.

‡ See Appendix W.

Editor. To his observation that "his pay has been in exact proportion to the labour performed," I reply, his pay has been in much too high a proportion; and here rests the *main difference of opinion between us*. He asserts that he has been paid, not for "literary labour," but for "legal labour." To this it may justly be said, it is not necessary to pay the Editor of the "Parliamentary Writs" for "legal labour," because none whatever is required; and by his thus marking the difference between "literary labour" and "legal labour," he himself tacitly admits, that for mere literary labour he has been too highly remunerated. This is all I contend for, because if he is to receive Counsel's fees for the time he bestows on the "Rolls of Parliament," or "Parliamentary Writs," he has been very ill, instead of very well paid; and if this is to be the rate of his remuneration in *future*, I submit that the sooner the world has the advantage of his uninterrupted legal labours in the usual scene of such labours, the speedier will be the relief to the public burthens. Without intending to offend Mr. Palgrave, I do think it possible that an Editor of Parliamentary Records *might* be found, *almost*, I do not presume to say, *quite* as competent as himself; but, if in the mass of talent for which this

Country is distinguished, none such could be discovered, I would, in the present state of the public finances, suggest that the documents had far better remain where they are.

Mr. Palgrave says I cannot dream of any other stimulus to an author than money.* They who know me do not require an answer to this remark. To those who do not, I leave it to determine with how good a grace such an insinuation comes from a man, who for every hour of his literary labour has been paid at an exorbitant rate, when levelled against one who instead of gaining by his works has lost many hundred pounds by his humble efforts to illustrate English History.

Mr. Palgrave calls himself the "salaried servant of the public, employed to perpetuate the title deeds of the constitution."† That he is the "*salaried* servant of the public" no one is at all likely to *doubt* who has access to Parliamentary Returns; but to call the occupation of editing Parliamentary Writs and Petitions "perpetuating the title deeds of the Constitution," is a piece of pomposity scarcely exceeded by the calling a tailor's shop a "Vestiarium," or that of a haberdasher an "Emporium of Fashion." This is, however, an age of fine names for common employments, and if he is

* "Remarks," page 40.

† "Remarks," page 41.

pleased with the pretty title he has conferred upon himself, it is not for me to object to it: but I am anxious that the public should not pay the "perpetuator" of such important "deeds" according to the length of his euphonous and dignified appellation, but as Mr. Francis Palgrave, the collector and editor of a particular description of records.

In every thing relating to payments made to him, the Parliamentary Returns have been implicitly followed; but the monomania under which he unfortunately labours will not allow him to recollect that I had more persons to speak of in the "Observations" than *himself*, and more objects to comment upon, than *his* labours. I merely intended to shew how much he had received for his works in the last seven years, and how much the printing, &c. of them had cost. He does not dispute the accuracy of the sum total, but says I have not given the other side of the account. I know of no "other side," because none appears in the Return, excepting his disbursements for portfolios and other trifles, and these he is aware were noticed.* If by the "other side of the account" he means the sums *he paid* for the transcripts for which he received from 8*d.* to 1*s.* a folio, I reply, I had not the information to give. I have never said that the Government was charged

* "Observations," page 135.

more for transcripts than the sum actually paid to the transcribers ; but I do say that 8*d.* and 1*s.* a folio is much more than is necessary,* and I am at a loss to conceive how Mr. Palgrave could accuse me of setting down as gains to himself the money paid for transcripts. Surely he cannot believe that I think so ill of him as to suppose he ever *contracted with others* to furnish the transcripts, and *derived a profit* from the difference between what he *paid them*, and what he *received* from the country ! To have done this *might* have been to expose myself, for he would, doubtless, have published the *receipts* of the persons he employed, and thus have overwhelmed me with *confusion*. It is not true, therefore, to say that I have inserted his disbursements to make them appear as gains, that I do not give him credit for the work which has been done, or that I have omitted to state that “ the sums paid were for materials for “ the basis of the whole collection as well as for “ the volumes which have appeared.” My remarks commence with this passage :

“ There is some difficulty in exactly estimating

* The gentleman who transcribed several thousand folios for the new edition of the *Chronicles* received only *five pence* a folio, though the contractions were written at length, which required additional labour, and peculiar information. See the Parliamentary Return moved for by Mr. Protheroe, and ordered to be printed in April, 1830.

“ the expense of the first volume of this work, be-
 “ cause though between 1822 and 1827 the sum
 “ of £2357 was paid the editor for transcripts, yet,
 “ as that gentleman was at the same time engaged
 “ in collecting materials for a new edition of the
 “ ‘ Rolls of Parliament,’ with a salary of £500 per
 “ annum, it is not certain what proportion of those
 “ transcripts are printed in the first volume of the
 “ ‘ Parliamentary Writs.’ ”—*Observations*, p. 123.

It was not my object to detail the various items, but to present a general summary of the expenses of the works published by the Commission, and I am not aware of any other way of doing this than the one adopted. Mr. Palgrave has *not* yet *proved*, or even attempted to *prove*, that a *single error exists*, and I attach no value to mere *assertions*. To shew that I had no intention of misrepresenting him, and to enable the reader to judge for himself, a copy of all which relates to the sums he has received in the Parliamentary Return, will be found in the Appendix (marked W). Whenever the particulars of any of those items are fully described, it is not impossible that some observations may be made upon them of practical benefit to the public.

If I were sensible of what is meant by the following passage I should be better able, than I now consider myself, to reply to it :

“ One observation, however, before I conclude.
 “ Mr. Nicolas, in such his statement, has availed
 “ himself of a sophism which may be and is em-
 “ ployed against ‘ public functionaries ’ of every
 “ description, high and low. The opponent scrapes
 “ up in a heap all the money of which the dis-
 “ bursement has been spread over a long series of
 “ years, during which the service has been per-
 “ formed ; the ‘ public functionary,’ on his part,
 “ cannot, from the very nature of things, exhibit
 “ in a tangible mass all that he has performed
 “ during the period ; and then the gross amount of
 “ the remuneration which he has fairly earned by
 “ the *wear and tear of the machinery of human*
 “ *life*, is insidiously displayed as the reason for
 “ refusing to afford him a remunerating price for
 “ the machinery, when it begins to decay. Such
 “ a mode of reasoning would be reprobated as
 “ dishonourable and wicked in private life, and
 “ it is not the less so in public affairs.” *Remarks*,
 p. 42.

With the view of pointing out how much the literary labour of each work has cost, I have stated the various sums paid for it, during the time it has been in progress ; and if this be “sophism” I am guilty of it. The Parliamentary Return of April, 1830, is tolerably explicit as to the nature and extent of the services performed by persons

employed by the Record Commission, which statements I consider tantamount to what Mr. Palgrave calls "exhibiting in a tangible mass all "that he has performed during the period." As the next sentence, "the gross amount of the "remuneration which he has fairly earned by "the *wear and tear of the machinery of human "life*, is insidiously displayed as the reason for "refusing to afford him a remunerating price for "the machinery, when it begins to decay" is beyond my comprehension, he must excuse me for passing over such grandiloquence without comment. When divested of verbiage, the point in dispute is simply this : Mr. Palgrave does not deny that his clear profits as editor of the "Parliamentary Writs" and "Rolls of Parliament" are at least £1200 per annum ; besides which, salaries are paid by the country to his three clerks. My opinion is that £1200 are about £400 a year too much for an editor, and I should even be inclined to fix the salaries of all editors of the works printed by the Commission at £600 per annum, with an allowance of £200 more for the necessary clerks ; but for this sum all the literary labour ought to be performed, and there should be but *one* editor of each work. Of course Mr. Palgrave contends, that his remuneration is not too great ; and where is the public functionary that does not do the same ?

The forbearance which he affects to have displayed towards me is ludicrous. He has used expressions which if true would degrade me in the estimation of the world ; he has treated me with injustice by imputing to me conduct and motives which he has not attempted to prove ; he has infringed upon the ordinary rules of literary controversy by using the most offensive expressions ; he has endeavoured to support his case by printing such extracts from my writings as suited his purpose, and omitted the context ; he has *privately* circulated a letter addressed to the Speaker, containing allusions to me, without my knowledge, and refused to give me an entire copy of the document, even eleven months after it was written ; but more than all, he has SUPPRESSED every letter which bore upon the subject in dispute, and has violated the confidence which one man reposes in another, by publishing my private, or, as he properly terms them, “familiar” letters, written from two to four years ago, when we were on friendly terms, and which have nothing whatever to do with the question ! And yet this most ingenuous, this most honourable gentleman, presumes to charge *me* with “want of candour,” “with bad temper,” and “with deception,” and to conclude his pamphlet in these words :—

“But in executing this most disagreeable and “ungracious office, I have carefully avoided in-

“ introducing any matter which might tend to injure
 “ the character or defeat the honest expectations
 “ of a fellow labourer in the same vineyard ” !!!

It is now necessary to consider his remarks relative to the two other gentlemen whose defence he has undertaken, Mr. Ellis, the principal librarian of the British Museum, and Mr. Carlisle, the senior Secretary to the Society of Antiquaries. I very much regret having this task forced upon me, because it is by no means agreeable to my taste to speak of myself; and because it obliges me to depart from the intention I had recently formed of abstaining from all farther comments upon Mr. Ellis. Whether he will thank the officious friend whose indiscreet defence compels me to renew a discussion which I understood gave him pain, is not for my consideration.

In alluding to the Society of Antiquaries in my “ Observations,” delicacy prevented me from stating that I was myself the person whose ejection from the Council was the cause of the recent schism; and for that reason I forbore to mention that the individual so ejected was placed on the Council, because he had exerted himself to promote the objects for which the Society was founded. Mr. Palgrave, with his wonted regard for the “ courtesies of civilized life,” has, however, given

me no alternative than to admit the truth of his statements on this affair, or to relate the transaction as it occurred. Under these circumstances it would be affectation to hesitate as to the course it becomes me to pursue ; more especially, as the ungracious picture which he exhibits of my conduct was drawn with the avowed motive of affecting my statements on public abuses.

Mr. Palgrave observes, " Mr. Nicolas became acquainted with Mr. Ellis, partly as a reader at the Museum, and partly as a member of the Society of Antiquaries. From the nature of his pursuits, Mr. Ellis was, from the first, disposed to treat Mr. Nicolas with much attention and kindness, when present ; and to bestow one of the best proofs of kindness and friendship which can be afforded, by speaking in the highest terms of Mr. Nicolas, when absent. Mr. Nicolas was upon the same terms with Mr. Nicholas Carlisle, principal secretary of the society, and in consequence of the regard which the latter entertained for the former, Mr. Nicholas Carlisle recommended that Mr. Nicholas Harris Nicolas should be put on the Council when a vacancy was occasioned by the death of Mr. Taylor Combe. Mr. Nicolas had furnished several useful and ingenious essays to the Archæologia ; and this nomination was a proper

"tribute of respect to his unquestioned abilities."
Remarks, p. 6 and 7.

To this I reply, that my acquaintance with Mr. Ellis consisted in conversing with him for a few minutes when we met at the Museum or at the Society of Antiquaries; and that this is the first time I have ever heard of any act of friendship or kindness on his part. Of Mr. Carlisle I know even less than of Mr. Ellis, and to represent me as having been the object of his regard, must amuse all who are aware of the real state of the case. When elected on the Council on the death of Mr. Combe, I believed that I was appointed in consequence of my contributions to the "*Archæologia*." Nothing could be further from my thoughts than that it arose from Mr. Carlisle's "regard," and as the distinction was not sought, I certainly never thanked him or any other person for it. Although Mr. Palgrave disavows the intention of entering into any discussion concerning the Society, he has noticed every subject which occurred, and imputes my not being retained on the Council for the usual period to my having "betrayed a degree of violence of deportment and gesticulation which gave offence."* Be it observed, however, that he admits he knows

* "*Remarks*," page 7.

nothing of the circumstance himself, but makes this assertion upon the information of others, and it is to be regretted that he does not mention *to whom* the behaviour he describes "gave offence." Mr. Palgrave must *know* that this description of the transaction is untrue. He must *know* that the offence given was to the senior Secretary—to his friend Mr. Carlisle, and that it consisted in performing the duty I had undertaken, by opposing measures which tended to bring the Society into contempt. That gentleman had sufficient sagacity to perceive that I was deeply impressed with the opinion that abuses prevailed in the Institution, and that its character stood very low in the estimation of the public. It was evident that I was actuated by a zeal for its improvement, which, in a member of the council, would be destructive of the repose of the Secretaries, and might oblige them to render some services in return for their salaries. Mr. Palgrave has acted with his usual disregard of candour in concealing that the treatment I received was disapproved of by the President and Vice-Presidents, as well as by several other members, notwithstanding that many of them were inimical to a reform.

With the hope of establishing the injustice of the remark that my behaviour at the council was improper, by better evidence than my own nega-

tion, I wrote to Mr. Hallam, who presided. It appears from his answer that he has no distinct recollection of my having taken any part at the meetings of the Council of the Society, but that he had on no occasion witnessed any impropriety of behaviour in the members of that body: a general certificate of good conduct upon which I felicitate them. If then my deportment were so offensive, or remarkable as to justify an unprecedented measure, will it be believed that the chairman at a meeting of eight persons would not have noticed and remembered it? and, if any "offence" were given, the proper individual to cause the act to be resented was he who presided, and not the *paid servant* of the Institution. Mr. Palgrave says, I was placed on the Council for my exertions, and he admits I was removed in an unusual manner because I "gave offence." That the "offence" was not of the nature which he describes upon hearsay, and that the person offended was not the one who *alone* had the right to resent it, by causing me to be removed from the Council, I have proved. It is therefore evident that the charge which I have brought against one of the Secretaries, that he presumed to displace a member of the Council, because his zeal displeased him *personally*, without caring for the effect which such treatment might produce on his future services in

behalf of the Society, is fully borne out by the fact.

It is then said, "On St. George's day [April " 23rd, 1826] Mr. Nicolas came down, in perfect " confidence that he should be continued on the " Council. When he found that he was excluded " from the list, he burst into a paroxysm of anger, " and gave vent to language indicating his feelings, and which excited much notice and surprise. Mr. Nicolas now declared a war of extermination against the Antiquaries in general, but " more particularly against Mr. Ellis and Mr. Nicholas Carlisle, and all persons who, as he supposed, had excluded him from the Council. He " began by demonstrations in the Retrospective " and Westminster Reviews; a similar warfare " followed by means of the daily press; and the " waste corners of the columns of the newspapers " were occupied by epistles from Mr. Nicolas, " under the names and epithets of 'Antiquarius,' " 'Scrutator,' 'F.S.A.,' &c. &c. &c., in which " the abuses of the archæologists and the errors " of Mr. Ellis are detailed."—*Remarks*, p. 8.

It is conceded that I attended the annual elections upon that occasion, and took it for granted, that, according to the *invariable custom*, I should be retained on the Council. Finding, however, that the usual practice was deviated from with

the sole object of removing me, and considering that I deserved very different treatment, I was naturally indignant; for though a seat in the Council was never an object of my ambition, I did not approve of being so unceremoniously ejected. I therefore asked Mr. Ellis, in the presence of the meeting, by whose authority this was done? and on his replying he could not answer such a question, I quitted the room, with the intention of never again entering it. After reflecting, that this probably was the act of one or two persons only, and as I then felt much interested in a Society which, if properly managed, would confer incalculable benefits upon Historical Literature, I resolved to try the effect of appeals to the body at large upon its condition. I declared "a war of extermination," as Mr. Palgrave absurdly expresses it, against no one; but as I was removed from the proper scene of usefulness—the Council—the best means of effecting an improvement was through the press. A paper on the Society appeared in the "Westminster Review" for April, 1827, and April, 1829, which were followed by others in the "Retrospective Review" between October, 1827 and September 1828; and on one or two occasions I used a more certain method of exciting attention to the abuses which prevailed

by sending article to the newspapers, but I know nothing of those under the signatures alluded to by Mr. Palgrave. These however were not the only measures I adopted. I addressed Lord Aberdeen, the President, on the subject, and a correspondence ensued, which did not terminate until the following year, during which time I became impressed with his courtesy and with the desire he evinced to improve the Institution. His lordship, at my request, granted me an interview, when I fully explained my opinions and intentions. As I am not so indifferent to what may be thought of my character as to print *private* letters, even though they be not "familiar" ones, I shall not avail myself of such evidence to prove that I did not act from any improper motive; that I did not in any one instance behave surreptitiously; and that I did not desire to "exterminate the antiquaries in general," or Mr. Carlisle or Mr. Ellis in particular.

The reason why those gentlemen are so strongly commented upon in my strictures must be obvious. It is well known that they are the managers of the Society, and I had had *practical proof* that one of them at least would not permit any person to have a voice in the direction of its affairs, who did not acknowledge their supremacy. It was therefore my object to shew the utter incompe-

tency of Mr. Carlisle, and the neglect of Mr. Ellis and to point out that they were opposed to all improvements. Among the many things which required amendment was the class of communications read to, and printed by the Society in the "Archæologia." Mr. Ellis was the principal contributor of those papers, and I ask whether they were not fair and legitimate subjects of criticism? Mr. Palgrave describes the observations which I wrote upon them in the following words—

"These attacks were in the highest degree frivolous and unjust. I will explain myself. Mr. Nicolas did not enter into any fair and manly criticism of the publications of Mr. Ellis as an author. All his strictures consisted, first, in decrying the intrinsic worth of the letters and other documents selected by Mr. Ellis from the Museum and elsewhere; and, secondly, in harping, in every possible tone, upon an oversight committed by Mr. Ellis, in exhibiting, as edited, a correct copy of a document of which the substance had been given in Stowe's London. *This was all.* As to the first head of accusation, it only amounted to this, that Mr. Ellis and Mr. Nicolas differed in opinion; and as to the second head, it was an oversight; and there is an end of the matter."—"These attacks, however, were specious; and such ill-natured criticism, low as

" it was, might have produced some injury to
 " Mr. Ellis. As a literary man, they might hurt
 " him with the booksellers ; and they were calcu-
 " lated (I will not say intended) to impede him in
 " obtaining that further encouragement from the
 " Trustees to which he was entitled, from his long
 " and able services in the Museum."—*Remarks*,
 p. 9.

In Mr. Palgrave's eyes every criticism is an
 " attack," and must spring from some malevolent
 feeling. I am not aware of any other objection
 which can be made to documents, either ancient or
 modern, than that they are of no intrinsic value, or
 that they have been before printed. When he
 names another criterion by which to estimate
 them, I will admit that my criticisms upon Mr. El-
 lis's communications are " unfair" and " unmanly,"
 as well as " frivolous" and " unjust." The remark
 that I have been " harping in every possible tone
 " upon an oversight committed by Mr. Ellis in
 " exhibiting, as inedited, a correct copy of a do-
 " cument of which the substance has been given
 " in Stowe's London," compels me to " harp upon
 it" once more. I must however first explain, that
 " harping" upon this affair means, that it has been
 alluded to whenever I wished to prove that Mr.
 Ellis did not take much trouble in selecting papers
 to read to the Society ; and perhaps few persons

will doubt the justice of that charge when they read the facts of the case, or be inclined to place much reliance on Mr. Palgrave's statements, when he represents this circumstance as "an oversight." My remarks were as follow :

" The article which Mr. Ellis selected for this " auspicious occasion* is in the Harleian MS. 6859, " and though the printed index refers to another " copy in the Harleian MS. 7034. fol. 437, it is " quite obvious, that the learned Secretary considered it too much trouble to turn to the MS. last " mentioned, to ascertain whether they differed " from each other, because, if he had done so, he " would have there learnt, what we are sure every " other man in the metropolis, excepting the Secretaries of the Society of Antiquaries, was well " aware of, namely, that it was printed in that " *liber rarissimus*, Stowe's Survey of London!!! " To the copy in the MS. just referred to, the following note occurs :

" ' See Mr. Edward's Account in Stowe's Survey, published by Mr. Strype, vol. i. p. 92, 93, &c.' "

" The truth is, that the narrative is not only " printed, as nearly as possible verbatim, in that

* The evening following that on which the addition was granted to his salary.

“ work, but the greater part of it was introduced
 “ by Echard in his History of England ; and it is
 “ especially referred to by a writer, of whom
 “ Mr. Ellis must have heard—one Rapin.”*

Of course Mr. Palgrave means it to be inferred that this is the only “ oversight” of the kind which Mr. Ellis has committed. A similar circumstance took place a few evenings afterwards respecting a seal which was exhibited by him previous to being introduced into the “ Archæologia,” which seal had been already twice engraved. Not having been a member of the “ learned body” for the last three years, I know nothing of its transactions, but it is recorded in the “ Gentleman’s Magazine” for May, 1828, that one article was communicated by that gentleman which had been before published in two works ; and another, which had been printed in the Topographical Dictionary, by his *colleague*, Mr. Carlisle.† The flippant manner in which Mr. Palgrave speaks of sending worthless papers to the Society, or papers which have been before published, must secure respect to all he may say upon the subject. “ As to the first head “ of accusation” (that of sending worthless articles),

* Retrospective Review, N. S. vol. i. p. 515, published in February, 1828.

† Vol. xcvi. part i. p. 451.

"it only amounted to this, Mr. Ellis and Mr. Nicolas differed in opinion." So that, according to this mode of reasoning, the difference between a valuable work and a useless one "amounts only to a difference of opinion,"—a discovery worthy of Newton himself. "As to the second head," (that of sending an article which had been repeatedly published, "it was only an oversight." I am well aware it is a matter of indifference to *Mr. Palgrave* how often a document may be printed, provided the public pay the editor well on every republication.

These "attacks," I am next told, were calculated, and it is insinuated, that they were intended to hurt Mr. Ellis with the booksellers. Perhaps Mr. Palgrave may advise him to bring an action for the loss incurred, and it will then be time enough to take further notice of so imbecile an observation. With respect to my criticisms impeding his appointment as Principal Librarian of the Museum, I have only this to say, that though I have not hesitated to accuse Mr. Ellis of negligence as Secretary to the Society of Antiquaries, I have always admitted his merits as Librarian of the Museum, and I have written as strongly in his defence when attacked in that capacity, as I have

ever written to censure him in his capacity of Secretary to the Society of Antiquaries. Many persons can testify that I evinced as much interest about his succeeding to the office of Principal Librarian on the death of Mr. Planta in December, 1827, as if I had been his most intimate friend, because he had acted, for some time, as senior librarian in consequence of Mr. Planta's infirmities, because he had served long and faithfully in the Museum, and because no person can find much to complain of in that admirably conducted establishment,* though suggestions for its improvement, on some points, may occasionally be made. It must be remembered, too, that Mr. Ellis became Chief Librarian of the Museum in December, 1827, and that more severe comments upon him, as Secretary to the Society of Antiquaries, appeared *after* than *before* that time. "But," Mr. Palgrave says, "Mr. Nicolas did not stop here, and he now commenced a direct attack upon the purse of Mr. Ellis."† This paragraph startled me. I tried in vain to re-

* Speaking of Mr. Ellis's appointment to that situation in the "Retrospective Review" in February, 1828, I observed, "Mr. Ellis deservedly succeeded" to it.

† "Remarks," page 9.

collect any thing which could be distorted into an act of fraud committed upon that gentleman, and was relieved from my anxiety by finding that the offence thus described consisted in having opposed a grant of an addition to his salary as Secretary to the Society of Antiquaries in November, 1827. About the impropriety of that grant my opinion has never altered ; but, before I state the grounds upon which I voted against it, Mr. Palgrave's defence of the measure must be quoted :

“ According to the original constitution of the
 “ Antiquaries, the Director was the gratuitous
 “ editor of the *Archæologia*. In consequence of
 “ the long illness of Mr. Taylor Combe, that
 “ task had been performed by Mr. Ellis, though
 “ no part of his duty ; and as it was ascertained
 “ that no person could be found,* who, being fit to
 “ fill the office of Director, would also continue
 “ such gratuitous assistance, it was proposed that
 “ Mr. Ellis should receive the annual remunera-
 “ tion of £50 for such his labour as editor, in
 “ addition to his very inadequate annual salary of
 “ £100. Mr. Nicolas, by anonymous letters in
 “ the public papers, as before, and by caballing

* Mr. Palgrave does not state *to whom* the situation was offered.

“ with the most inveterate passion and violence,
 “ used every endeavour to cause this resolution to
 “ be rescinded : but, notwithstanding such efforts,
 “ the motion made by Mr. Nicolas was defeated
 “ by a very large majority.” *Remarks*, p. 9, 10.

I do not conceal that I have written severe remarks on the Society of Antiquaries, but I submit that even I, who am accused of having “ declared a war of extermination ” against them, never wrote so bitter a paragraph as this. An unskilful soldier is more dangerous to his comrades than to his enemies ; and by this terrific discharge in defence of the “ learned body,” all the slain are in their own ranks. Here is a positive assertion that it is the duty of the Director, according to the original constitution of the Society, gratuitously to edit the “ *Archæologia*,” the labour of which will be afterwards described ; that in consequence of the long illness of Mr. Taylor Combe, Mr. Ellis had undertaken the task, though no part of his duty ; and that “ as it was ascertained that no person *could be found*, who being *fit to fill the office of Director*, would also continue such *gratuitous* assistance, it was proposed to allow Mr. Ellis a remuneration for his “ labour as Editor.” Whether this be intended as a compliment to Mr. Markland, who succeeded

Mr. Combe in April, 1827, but resigned in April, 1829, or to Mr. Gage, the present Director, or to the Society in general, I leave it to them to ascertain. My knowledge of the talents and zeal of Mr. Markland and Mr. Gage convinces me that so much of the charge as concerns them is unjust; and meanly as I think of the learned fraternity, I am sure they are not *quite* so bad as their *advocate* is pleased to describe them. The onus of proving the injustice of this remark rests *now* with my friend, Mr. Gage. No one who is acquainted with him can believe that he will allow a literary institution to be burthened with an annual expense of fifty guineas, on the pretence that he *neglects his duty*; hence it is certain, that he will become the Editor of the "Archæologia," for which office few are so well qualified, and thereby enable the Society to resume a grant which never ought to have been made.

Upon the champion of the Society of Antiquaries' own statement, it is incontrovertible that Mr. Ellis received an augmentation to his salary as Secretary, for performing the duties of the Director. There is at this moment a Director, who I am sure does not require a deputy; and, as according to the common axiom, when the cause ceases, the effect also ceases, I congratulate Mr.

Ellis upon the dilemma in which, with respect to his additional salary, *his friend's defence* has placed him.

I shall now point out, as nearly as possible, the extent of the labour required to edit the "Archæologia," in the words which I used at the time when Mr. Ellis's salary was increased :

" As the ' Archæologia ' is wholly composed of
 " the articles contributed by the members, who, in
 " most cases, correct their own proofs, we are at a
 " loss to understand what that gentleman has done
 " to them besides perhaps making the index and
 " reading the revises. Has he 'endeavoured to
 " ascertain whether the articles intended to be in-
 " serted have been before printed? if so, the last
 " volume is an unfortunate example of the result
 " of his researches. Allowing that he has perused
 " all the sheets, what is the extent of the trouble
 " required? Each volume contains on an average
 " 450 pages, and appears in three years; so that
 " the editor has really to undergo the fatigue of
 " reading 150 pages a year, or something *less than*
 " *half a page* per diem! Human nature cannot
 " support such exertion; and the paltry addition
 " of fifty guineas per annum must be necessary
 " for cordials and restoratives. It is, however, to
 " be inferred, that the little which is done to the

“ ‘*Vetusta Monumenta*’ is now to devolve on the
 “ Atlas of the Society—poor Mr. Ellis! Besides
 “ having to read aloud seventeen minutes in every
 “ week for two-thirds of the year; to peruse, to
 “ himself if he prefers it, half a page a day, or, if
 “ Sundays be excepted, two-thirds of a page, and
 “ to eat two dinners annually in the service of the
 “ Society, is he to be burthened with the over-
 “ whelming task of writing a dozen folio pages
 “ every three or four years?” *

These remarks were prefaced by a comparison between the feelings which actuated the officers of the last century and at present.

In 1784, there was but one Secretary, who received a very trifling salary, whereas there are now two, the senior of which has apartments, coals, candles, and about £200 per annum, and the junior has now 150 guineas per annum.† A vacancy happened, and the President, upon recommending Mr. Brand for the situation, used this expression :

“ I cannot but observe, that as the salary of our
 “ new Secretary is so very inconsiderable, the

* “*Retrospective Review*,” N. S. vol. i. pages 328, 329.

† I think I have underrated the salaries; but from the mysterious manner in which the accounts of the Society are kept, I believe not ten of its fellows are aware of the salaries of its officers.

“ emolument can be *no object* to any man of *such*
 “ *respectability, as it is needful for us to have the*
 “ *assistance of*; and that *nothing* but that *noble*
 “ *enthusiasm* of spirit, which is the most needful
 “ and effectual thing of all others, to promote the
 “ advancement of science, could *induce* any mem-
 “ ber of this Society to stand forth on this occa-
 “ sion.”

I leave it to Mr. Palgrave, and such other persons as consider that improvement is not necessary in the Society, to explain what has become of that “ noble enthusiasm ” which actuated Mr. Brand, but which did not appear to actuate Mr. Ellis, or, according to Mr. Palgrave’s flattering account, any other member of the Institution; and I propose it as another subject for their inquiry, Why is it that the Secretaries to the Society of Antiquaries require to be so much better paid than the Secretaries to the Royal Society ?

Mr. Palgrave says that I used “ every means, “ by caballing with the most inveterate passion “ and violence, to cause this resolution to be rescinded; but notwithstanding my efforts my motion was defeated by a very large majority.”* The accuracy of the latter part of this statement is in proportion to the veracity which its author has

* “ Remarks,” page 10.

shewn in describing my conduct in the first part. Not only have I never "caballed" with, or without "the most inveterate passion and violence," upon *any* occasion, but there *never was any motion made to* "rescind" the grant to Mr. Ellis. The only motion ever made on the subject was on the 29th of November, 1827, which was for allowing the additional salary to that gentleman, and this I scarcely need assure Mr. Palgrave was not *my* motion. It is true I was one of the minority who voted against the proposition, but the "very large majority" of which he speaks consisted of *fourteen*, of which number *ten* were members of the council, who of course supported their own recommendation, and one was the *Society's printer*, so that the real majority of *independent* persons was *three*!

The next remark in relation to the Society of Antiquaries is, that I then recommenced a series of attacks in the newspapers and other anonymous publications, and brought forward a motion respecting the "ample funds" of the institution, which statements were erroneous, and that my motion was lost.* One of the principal abuses which I sought to remedy was, that the members were, and still are, prevented from seeing the Ac-

* "Remarks," &c. page 10.

counts. Having applied to do so, and been refused, and the opinion of the Solicitor General on the case being against me, I had recourse to the usual measure of submitting a motion on the subject, which Mr. Palgrave says was "lost," the members being satisfied with the Treasurer's statement. Let this report be compared with the account of the transaction as given in the "Gentleman's Magazine," a publication *not likely to be suspected* of representing my opposition to the officers of the Society in *too favourable* a manner:

" *March 27.* The Auditors made their report " of the state of the Society's finances, when Mr. " Nicolas gave notice of his intention to move " for a Committee (selected from members not in " the present Council) to investigate the expenses " of the Society's recent publications."*

" *April 17.* A very full meeting was occupied " much beyond the usual hour in discussing Mr. " Nicolas's motion, alluded to in our last, the " terms of which were as follow: 'The Society, " having learnt from the Report of the Auditors " that a sum exceeding £800 has been expended " on the publications of the Society, that three or " five Fellows, not members of the present Council, be appointed to examine the accounts, in

* Vol. xcvi. part i. page 255.

" order that the Society may learn whether the
 " statute which provides that no greater sum than
 " £50 shall be paid by the Council has been
 " complied with; and to report the same to the
 " Society.' After Mr. Nicolas had introduced
 " the subject in a pointed and animated speech,
 " discussing the various branches of the Society's
 " expenditure, he was met by the Treasurer, Mr.
 " Amyot, with an explicit statement of the various
 " items composing the charges in the Auditor's
 " account: and it was also announced by that
 " gentleman, that the first portion of the twenty-
 " second volume of *Archæologia*, and three articles
 " of *Vetusta Monumenta*, including Mr. Capon's
 " plan of the Royal Palace of Westminster, would
 " be ready for delivery to the Fellows on St.
 " George's day. This public statement of the
 " information required made the proposed com-
 " mittee unnecessary, Mr. Nicolas declaring that
 " the object of his motion had been fully attained.
 " It appearing, however, that the statute for sub-
 " mitting, to the approval of the Society at large,
 " the payment of sums exceeding £50, had never
 " since its enactment, seventy years ago, been on
 " of general application or expediency, Mr. Sabine,
 " one of the Auditors of the last account, moved
 " as an amendment, 'That, as it appeared pro-

“ bable that the statutes required revision, it be
 “ referred to the Council to do so.’ This amend-
 “ ment meeting with no objection from Mr. Nicolas
 “ or his friends, was carried by a majority of
 “ seventy-three to five.”*

The last charge of Mr. Palgrave on this subject is, “ On the following Charter day [23rd April, 1828] “ Mr. Nicolas having organized a party “ against Mr. Ellis, Mr. Nicholas Carlisle, and the “ ‘ House List,’ principally for the purpose of re- “ instating himself in the Council, he, Mr. Nico- “ las, was defeated. He retired from the society, “ vowing vengeance for the ‘affronts’ that he had “ received.” *Remarks* p. 10, 11.

This statement being as inaccurate as the others, it establishes Mr. Palgrave’s claim to consistency. No party was ever organized against Mr. Ellis; and I prove the fact by the circumstance of his being nominated both for the Council and as Secretary in the *opposition list*, nor was it proposed to deprive Mr. Carlisle of his situation, though it certainly was intended to prevent his *re-election on the Council*; and if Mr. Palgrave will assert, in

* Vol. xcvi. pages 350, 351. For the result of this motion, and the *judicious* nature of the alterations made in the statutes in consequence, see the “ Observations,” pages 35—39, notes, and “ Westminster Review” for April, 1829.

print, place his name to the certificate, and have it countersigned by the President, Vice Presidents, Director, and Junior Secretary, that Mr. Carlisle possesses even the slightest pretensions, on the ground of learning, talents, or information, to be on the Council of, much less Secretary to the Society of Antiquaries, then, but not until then, shall I regret that I did not vote for his re-election. The opposition list contained very few names not included in the House List, and Mr. Palgrave will not presume to impeach the pretensions or character of the persons proposed; and he would find it impossible to refer to any opposition more characterized by moderation, for no attempt was made to displace a single officer of the Society. That my principal object was to get myself reinstated on the Council, is known to be *untrue* by all with whom I had the honour to be associated. I more than once suggested that my name had better be omitted, but the reply, that "if it did not appear, the propriety of my ejection would be tacitly admitted," convinced me that it ought to remain. Mr. Palgrave has, among many other rude expressions, employed one which I think deserving of especial notice. He says I "caballed," whereas it was notorious that whatever was proposed was openly avowed; *and no measure was undertaken without*

an intimation being first made to the President. Even the names in the opposition lists were submitted to him, and his lordship is the best judge whether my conduct merits the account which Mr. Palgrave has given of it, and whether I was merely actuated by the contemptible ambition of seeking a seat on the Council. I do not dispute that the person who has thus impugned my motives would, under similar circumstances, be actuated by the feelings which he imputes to me; and I perhaps ought not to expect him to estimate my conduct by a higher standard than that by which he measures his own. For this reason I do not admit him to be a competent judge of the subject, and I appeal to more generous and better regulated minds.

On the day on which the opposition to the house list was defeated, I retired from the Society, pursuant to the intention I had personally notified to the President, but the "vowing vengeance for the affronts that I had received," is one of those flourishes with which Mr. Palgrave attempts to ornament his pamphlet, and in introducing which, truth is the last consideration to which he has attended.

My conduct with respect to the Society of Antiquaries, may therefore be described in a very few

words. I became a member in February, 1825, and was elected on the Council in November, 1826, in consequence of my communications. I was then impressed with the abuses of the institution, and, on the only occasion I was permitted to act on the Council, I evinced a desire to remove them. For this I was ejected in an unprecedented manner, by *one Secretary*, and I then endeavoured to accomplish by means of the press, by communications with the President, and by proposing in the Society those improvements which my removal from the Council prevented my doing in a more eligible manner. Finding my efforts vain, I withdrew from the Society in April, 1828; and by what obligation, moral or legal, I was to be prevented from writing or speaking of the Institution as it deserves, Mr. Palgrave has not pointed out. He does not attempt to *answer* a single *fact* on the subject, but has endeavoured to excite prejudice against me by erroneous and absurd statements as to my demeanour and motives. How far he has succeeded, or to what extent he has benefited those whose defence he has undertaken, impartial and candid persons will be best competent to judge.

Mr. Palgrave observes, in speaking of what he calls Mr. Ellis's "oversight," "Mr. Nicolas,

“ in his valuable works, has committed numerous errors in matters of much greater importance, so as even to destroy the sense of the documents which he has quoted ; yet no man of candour would depreciate his talents on that account.”* It is very far indeed from my intention to deny the existence of errors in my works, but as this remark may apply to one or more of a great many volumes, I am unable to ascertain whether it is just to say that my mistakes “ destroy the sense of the documents I have quoted,” though even this, in some instance, is not impossible. I have never pretended to be infallible ; but I may fairly urge the serious disadvantages under which many, and particularly my early publications, were produced, arising from the want of expensive books of reference in my own library, and the impossibility of paying, out of an extremely limited income, for that assistance in collating and transcribing, (*which Mr. Palgrave has always received at the cost of the country,*) for works which, so far from yielding any profit, have on several occasions been published on my own responsibility, at a pecuniary sacrifice that few could so ill afford. Another disadvantage to an author whose works have so limited a sale as

* “ Remarks,” page 9.

mine, is that new editions are rarely called for, so that he has few opportunities of correcting his errors, or supplying the additional information which subsequent researches may have brought to light. I eagerly however turn from so egotistical a theme. What little I may have done in illustration of English History arose from no other motive than the warmest interest on the subject, without having been stimulated by patronage, or having in any one instance been remunerated for my labours. It was this feeling alone which prompted me to take those measures for renovating a Society incorporated for the advancement of Historical literature, and for striving to cause the money voted by Parliament, for that purpose, to be properly applied, which has excited Mr. Palgrave's indignation.

The charge relating to the negotiation for the purchase of the Baron de Joursanvault's manuscripts remains to be noticed. Mr. Palgrave says,

“ With respect to the manuscripts of the noble
 “ Baron who figures so conspicuously in the
 “ pamphlet, it is only necessary to observe, that
 “ Mr. Nicolas was extremely anxious to be em-
 “ ployed in the mission, and pushed himself for-
 “ ward by personal applications to the Speaker
 “ for that purpose. The proffered aid of Mr. Ni-

“ colas was rejected. Mr. Ellis happening to be
 “ at Paris, the Trustees chose to trust their own
 “ officer, and not a self-appointed commissioner;
 “ and the *result of their inquiries was*, that the
 “ ‘ Baron’ had speculated boldly upon the gulli-
 “ bility of the Trustees, *and that one tenth part of*
 “ *the price affixed to his collection would have been*
 “ *an ample consideration for the same.*”—*Remarks*,
 p. 11.

All I shall say on the subject is, that my remarks, to the best of my belief, are substantially correct; that I did not make them upon slight grounds, nor with any malicious disposition towards Mr. Ellis; and that however largely the Baron may have been disposed to speculate, to use Mr. Palgrave’s elegant expression, upon the “ gullibility of the Trustees,”—and of his folly, I am neither the defender nor the apologist—I contend that that desire principally arose from the injudicious manner in which the affair was conducted. In consequence however of Mr. Palgrave’s assertion, that I was “ extremely anxious to be employed in
 “ the mission, and pushed myself forward by per-
 “ sonal application to the Speaker for that pur-
 “ pose, but that my proffered aid was rejected,” I addressed a letter on the appearance of the
 “ Reply,” to that personage, containing the facts

of the case, and asked him to do me the favour to tell me whether my statement was correct. I first heard of the Baron de Joursanvault's MSS. from my friend Sir Thomas Croft, who had seen them, and from whose description, as well as from the copies of several muniments which he sent me, I was very desirous that they should be purchased for the Museum. Aware of the interest which the Speaker felt in historical documents, I requested to see him on the subject. He obligingly granted me an interview, and as will appear from my letter which will be found in the Appendix (marked S), on submitting the account and specimens of the Baron's manuscripts, he promised to speak to the Archbishop of Canterbury, adding, that I should soon hear from him. Before I took my leave, I observed, that in case the expense of paying a person for going to Pommard to examine the collection proved an obstacle, I would readily undertake the journey in the vacation, upon the payment of my travelling expenses. But, so far from my "*proffered aid being rejected*," I was never favoured with any farther communication on the subject; and I am unconscious of having shewn a desire to be employed on the occasion or of having evinced any other feeling than anxiety for the acquisition of valuable historical materials.

The Speaker, in reply to my letter, after expressing his regret that a controversy on literary subjects should be mixed up with personal offence—regret in which I cordially join—has done me the favour to tell me that my description of what passed at the interview “is strictly correct in substance, “and he believes too to the letter.”

Among the efforts which Mr. Palgrave has used to excite a personal prejudice against him, with whose *facts* and *arguments* he had the prudence not to meddle, are continual allusions to the want of temper which he says I have betrayed. It is, I am aware, difficult for persons who are ignorant of the world to distinguish between an energetic manner of speaking and acting, and intemperate violence. Men whose feelings are only kindled by what affects their own petty interests, and who view every species of abuse with stoical indifference, are very incompetent judges of the conduct and motives of those who are anxious that Public Institutions should effect the objects for which they were founded. Nor is it likely that an individual who has for years profited by abuses under the Government, should give impartial testimony upon any subject connected with the exposure of malversation or corruption. This remark, I need scarcely observe, refers to Mr. Pal-

grave's charges against me in relation to the Society of Antiquaries, and to my Observations on the Record Commission; in farther refutation of the first, I refer to Mr. Hallam's statement on the subject,* and of the second, to the book containing my comments. But it is impossible to notice the accusation that I have evinced "bad temper," or "personal hostility," and "bitter enmity" towards Mr. Palgrave, without astonishment at his intrepidity in making it; for if it were necessary to prove the command which I can exercise over my feelings, I would refer to my conduct in relation to him, without any other apprehension, as to the result, than that I might be deemed to have carried *forbearance* to an *improper* extent. It must be remembered, that without any sufficient cause, he first broke off our acquaintance in 1827, and that as soon as I knew his displeasure had ceased, I forgave his caprice and offered to renew it.†

Let any person read the letters he addressed to me (particularly the one in the Appendix, marked I), and compare them with mine, and then determine if there be not marks of ill temper and want of courtesy in his, and whether my answers are not temperate and indicative of the

* See page 111, ante.

† See my letter No. VI. in his pamphlet.

strongest desire not to give him offence? But, as if he were determined to force a quarrel upon me, he sent the offensive message which Mr. Gwilt conveyed,* and which obliged me, in my reply to his letter of the 24th of November, to warn him that he had nearly reached the point where *personal offence* begins, by telling him "I would not be treated with rudeness." †

So far as "temper" is shewn by personal conduct and manners, I refer to Mr. Gwilt's description of Mr. Palgrave ‡ previous to the publication of the "Observations," for proof of the excitement which the mere contemplation of the appearance of that work produced on him; and which is fully corroborated by his letters. It was this which influenced me in trying to avoid an interview, because I do not profess to be able to bear a personal insult with calmness; and I was animated by the strongest desire to prevent a quarrel. That this disposition has not deserted me is, I trust, apparent from every line of this pamphlet; for to charges and epithets in which *gentlemen*, however angry, or however sensible they may be that they have no other weapons, seldom indulge, I have not replied by a single offensive or indecorous expression. Under these circumstances the asser-

* Appendix R.

† Appendix M.

‡ Appendix R.

tion that I have evinced any "violence of deportment," any "want of temper," or any thing like "personal hostility" or "enmity" towards Mr. Palgrave, will I hope be considered unmerited and unjust.

I have now done, and I trust for ever, with Mr. Palgrave. To have remained silent under the impression which his pamphlet is calculated to create was impossible, and my regret at being obliged to appear before the world in this manner is deep and sincere. To the charges and insinuations by which he has sought to impeach my veracity, and thus to impede my efforts in remedying a great Public evil, I have given full, and I hope satisfactory answers; and I flatter myself that I have established their injustice. I confidently submit that the work to which that pamphlet purports to be a "Reply," ought not to have produced a personal attack upon the character or motives of its author; but in defending myself against charges which are as unfounded as they are illiberal, I have had no desire to increase the unfortunate excitement which produced them. Irritability of temper too often accompanies talent; and much as I lament the conduct into which it has led Mr. Palgrave on this occasion, I have made great allowance for his feelings, and have sought to convince, rather than to offend him.

On one point, however, which is of far greater importance than a personal dispute between Mr. Palgrave and myself, I am extremely anxious. I mean the statements with respect to the Record Commission and Record Offices, in my "Observations on Historical Literature." The CORRECTNESS OF THOSE STATEMENTS is, I am entitled to say, UNTOUCHED; the abuses and mismanagement of the Commission are not *even attempted to be defended*; nor has he advanced a single word to controvert my arguments in favour of an immediate alteration in the present system. The FACTS I have brought forward stand therefore as they did before the appearance of Mr. Palgrave's pamphlet, and are not in any degree affected by those personal reproaches which must be considered as the mere "telum imbellæ" of an angry man, stimulated by the two most powerful motives which an ordinary mind is capable of feeling,—a feverish anxiety to retain his *income*, and bitter resentment against an individual who, as a matter of prudence, had withdrawn from his acquaintance.

**ADDITIONAL FACTS
RESPECTING RECORD OFFICES AND THE
RECORD COMMISSION.**

ADDITIONAL FACTS
RESPECTING RECORD OFFICES AND THE
RECORD COMMISSION.

RECORD OFFICES.

I. THE TOWER.—When the enormous fees which are demanded in this office were noticed,* and which were sanctioned by the “Commissioners appointed to examine into the Salaries and Duties of the Officers and Clerks of the Courts of Justice,” it ought to have been observed that, in some instances, they are much higher than were allowed by the Order of Lord Chancellor Hardwicke, in 1743.

Instead of ten shillings “for every search, the time being known,”† that sum only was demanded “for every particular Search, *or for several Searches relating to the same matter, if made within four terms inclusive.*” The charge of six shillings

* “Observations,” page 46, *et seq.*

† Ibid, page 48.

and eight-pence for "taking down each record, and the inspection or reading the same," *does not there occur*, so that there was a difference, not only of six and eight pence upon every search, but various searches, if relating to the same matter, and if made within four terms, were permitted for the sum now charged for *one*. The same fee, two shillings, was then allowed "for the Master or Deputy's hand to each copy;" but the items of "two shillings for examining and signing each copy of a Record;" and of "one penny a folio for re-examining any copy of Chancery proceedings," are not to be found in Lord Hardwicke's Order; and, instead of the present charge of "one shilling" for re-examining each brief sheet of a copy of a "Record made in the office, besides the fee for the search," half a crown was allowed "for examining any old copy under the Master or his Deputy's hand."

It would be very desirable to ascertain what salary the Keeper of the Records in the Tower received at the time when the fees were so much lower than at present. At this moment the salary of that officer, *besides his fees and an allowance for his clerks*, is *five hundred pounds per annum*. But the following anecdote tends to shew that it was not raised to that sum until the death of Sir

John Shelley, who held that appointment, as a *sine-cure*, in 1783. His salary, as Keeper of the Records, was £300 per annum, and Mr. Astle, his deputy, received £200; but when the latter gentleman succeeded his principal, the two salaries were united, on the ground that *he* was an *efficient* person.

Two errors occur in the "Observations" with respect to this office, one of which was corrected in the Errata. In page 53, it is said that the Index to the Chancery Proceedings in the Tower is *private*, and that three guineas are charged for consulting it. This is not correct. That Index is *not* private, and the charge for searching it is ten shillings for each reign; but if the inquirer be uncertain as to the period, and wish to compound for a *general search*, then the sum of three guineas is taken, instead of ten shillings for each reign.

It is said that the statement in page 52, relative to re-examinations of copies of Records is erroneous, and that the passage should read thus, "Suppose that after a copy has been obtained it may be necessary that the transcript should be re-examined, that is, read over again with the original, in that case the search is *again* charged, together with six shillings and eight-pence for the inspection, making altogether sixteen shillings and eight-pence

for a re-examination.* There is, however, some difficulty in reconciling this fact with the allowance for re-examinations in the Table of Fees approved of by the Commissioners, where the following item is to be found, and which is the cause of the mistake on the subject in the "Observations,"—"Re-examining a copy of a Record made "in the office, besides the fee for the search, for "each brief sheet one shilling." The sixteen shillings and eight-pence, which seem to be the fee now taken for "Re-examination," is, however, *fourteen shillings and two-pence* more than was allowed by Lord Hardwicke's Order, and if the item just quoted from the Table sanctioned by the Commissioners is not in operation, whence is it that the authority for raising the fee from half-a-crown to sixteen and eight-pence has been derived?

A slight alteration is necessary in the note to page 53, relative to the charge for producing Records in the trial about the Cornish Mines. It reads as if the charge of "*nine guineas for three days' attendance*" of the clerk who produced them was made by the *clerk* himself, whereas it was

* This correction requires that all from the words "which is" to "transcript," in page 57, lines 26—28 should be deleted.

the *office* charge, so that the exorbitance arose from the system, and not from an individual. The solicitors having very properly objected to the demand, it was *not* paid.

In the text of the same page (53), the improper fee of one pound for producing each Record in a Court of Justice, when many documents are produced on the same occasion and by the same person, is pointed out. I have since been favored with a sight of the bill for producing Records in the Stafford Peerage case, in June, 1809, which is a *practical* proof of the effect of the system upon claimants of hereditary rights :

	£.	s.	d.
<i>Tower</i> , 6th June, 1809. Attending the House of Lords with 30 Summonses to Parliament on the Stafford Barony Claim. 9 Inquisitions shewing the Heirs of the Stafford Family, and 7 Miscellaneous Records of Proofs relative to the Dignity of the Family—in all 46;—27 of which were produced and read.....	48	6	0
13th June. Attending again on the above business with the 19 remaining Records to be produced, of which 9 are Summonses, with other Inquisitions and Records as above, but these were postponed reading till next Sessions	19	19	0
	<hr/>		
	£68	5	0
	<hr/>		

But this was not all. In consequence of the

Lords Committee not sitting on the 13th of June, 1809, agreeably to the notice given by the House of Lords, all the records then brought down had to be produced in the next session, being the *third time*, at the expense of nineteen guineas more, forming in all *eighty-eight pounds four shillings* for producing a bundle of documents on three *separate days*, for which services *five guineas* would have been *ample*.

II. ROLLS CHAPEL.—The fees in this office have, in the following instances, been materially increased since Lord Hardwicke's Order in 1743 : in all other cases they were the same as at present.*

There is now a fee of 2*s.* 6*d.* for "taking down every Roll," together with the present charge of 6*s.* 8*d.* "for taking out any record from any bundle for inspection," which appear to have been invented since 1743. Instead of "one *shilling* and *three pence* for every *ninety words* copied," *eight pence* only were allowed, "for every sheet containing fifteen lines, and six words in each line," that is ninety words; and instead of *three-pence* per sheet for re-examination *one penny* only was allowed.

III. CHAPTER HOUSE, WESTMINSTER. A slight reduction was made, a short time since, in the

* See "Observations," page 57.

salaries of the clerks of this establishment, in common with those of many other offices. *Three* clerks only* are known there whose salaries vary from £160 to £100 per annum. Though this establishment costs the country nearly £900 a year, the little practical benefit which attends it under the present system may be judged of from the fact that the fees do not average £100 a year! An interpretation having been given to the passage in page 64, that "one of the clerks is actually at the same moment a clerk in another public office," that I intended thereby to reflect upon the manner in which that gentleman performs his duty in the Chapter House, I am anxious to remove such an impression. So far from entertaining the slightest doubt that he attends regularly, and executes his duties faithfully during the hours which the office is open, I am assured that he does so; and the fact of his being employed in another office was only adduced to shew how trifling are the claims upon the clerks in the Chapter House, and consequently how necessary it is that the whole system should be changed. Whilst, however, it is permitted to continue, no one has a right to cavil at the manner in which the clerks employ their time *after* the Chapter House closes,

* See "Observations," page 63.

or on the numerous holidays which are kept there.

PIPE OFFICE. It is said that the business in this office is in future to be conducted by the persons belonging to it, instead of calling in the assistance of a clerk in another department,* and that though it is intended to render the Pipe Rolls more accessible to literary men, *fees* will nevertheless still be charged, which in nine cases out of ten will prevent them from being of the slightest use whatever for literary purposes. Not many weeks since a gentleman required extracts from the Pipe Rolls for a topographical work, for which he was charged as follows : for searching three Rolls 6*s.* 8*d.*, bag bearer 1*s.* 6*d.* for each Roll, and they *did him the favour to permit* him to *copy* what he required *himself* upon paying *one shilling* per folio ! In the Table of Fees for the Pipe Office sanctioned by the Commissioners, no other fees whatever are mentioned than for searching a Roll 1*s.* 4*d.*, and for copies furnished by the office *eight-pence* a folio. It is pretended however that some act of Parliament authorizes the charge of *ten shillings*, and that the difference between the two charges was this, that as at that time the Rolls were at Westminster, 10*s.* were asked for expense of coach

* " Observations," page 65.

hire, and for the trouble of going there ; but if the Roll happened to be in the House, then only 1*s.* 4*d.* were demanded. The clerks in that establishment assert, that they have charged 6*s.* 8*d.* per Roll, and 2*s.* 6*d.* for the bag bearer, ever since the Rolls were removed to Somerset House. The fees now claimed are :

	<i>s.</i>	<i>d.</i>
Search per Roll.....	6	8
Bag bearer.....	2	6
Copy of each folio of 72 words.....	1	6

It is desirable that the " Act of Parliament," which is pretended to authorize higher fees than were settled by the Commissioners, should be ascertained ; but until its existence be proved, I take leave to doubt the statement respecting it. The time is however, it may be hoped, not far distant when these, and all similar impositions upon historical and legal searches, will be swept away, together with the whole race of janitors of knowledge, whether dignified by the title of Keepers, Deputy Keepers, Clerks, Bag Bearers, or by any other appellation.

OFFICE OF THE CUSTOS BREVIIUM IN THE KING'S BENCH. The fees demanded in this office are not only excessive, but appear from the following case

to be higher than were authorized by the Commissioners. In November, 1829, the Clerk to the Custodes Brevium in the Upper Treasury of the King's Bench demanded £20 17s. 6d. for an office copy of a judgment in Quo Warranto of the third year of the reign of Charles the First, which contained 200 law folios of 72 words each, being at the rate of *two shillings* per folio, together with 17s. 6d. for the search and keys of the Treasury; but as the Clerk was not able to read the record, he allowed £5 to be deducted from that sum for the payment of the applicant's copyist. In April, 1830, the same gentleman received £22 12s. 8d. for another copy of a Quo Warranto proceeding and judgment, anno 16th of Henry the Eighth against the Bishop of Norwich relative to the town of Lynn, containing about 300 law folios, which, added to £7 10s., the sum paid by the applicant to his copyist, amounted altogether to £30 2s. 8d. By what authority those fees were asked is a proper subject for inquiry. In the Table approved of by the Commissioners,* the following are stated to be the fees which might be demanded :

* Report of the Commissioners on the Fees, Salaries, &c. of Officers of Courts of Justice, page 91, 92.

CUSTOS BREVIUM.

Recommended
to be allowed.

Copies of Records or Writs in the Upper, Inner, or Outer Treasury per sheet	4d. . . 4d.
For examining a Record in the Upper Treas- ury per sheet	2d. . . 2d.

THE CLERK OF THE INNER AND UPPER TREASURY.*

Recommended
to be allowed.

Copies of Records or Writs in the Upper or Inner Treasury, (excepting the Records hereinafter mentioned), per sheet of 72 words	4d. . . 4d.
Copies of Crown Rolls, Prohibitions, Deeds enrolled, Records in Quæ impedit, Ac- tions upon the Statute of Hue and Cry, Qui tam, and Debt on a Judgment on Re- cord, and Copies of Records in the Baga de Secretis per sheet	8d. . . 8d.
Examining the same with the Parties, if re- quired per sheet	4d. . . 4d.

Thus it appears that *sixpence* per folio was paid
above the fees recommended to be continued, viz.

To the Custos Brevium, per folio, for transcript	4d.
To the same for examination	2d.
To the Clerk of the Treasury, per folio, for transcript	8d.
To the same for examination	4d.

Per folio in the whole . . . 1s. 6d.

Therefore, on the two Quo Warranto proceed-

* Report, p. 97.

ings, containing 500 folios, the overcharge of sixpence per folio amounts to £12 10s. It is also to be observed, that neither the Custos Brevium nor the Clerk of the Treasury did, or could examine the Roll, *though one-third of the fees upon each sheet was paid for examination*; but the applicant's own transcriber was obliged to attend him for the purpose.

OFFICE OF THE DUCHY OF LANCASTER.—In answer to the statement in the "Observations"* relative to the demand of 18*d.* a folio for the copy of a record in English of the reign of James the First, I have been favoured with the following remarks :

" Mr. Minchin has made inquiry on the subject, and finds that the charge stated (of 18*d.* per folio) was excessive, and in his opinion must have been inadvertently made. The usual charge for more than a century has been in such a case 1*s.* 4*d.* per folio ; and it is admitted that no subsequent rule or official regulation in the Duchy Office warrants 1*s.* 6*d.* per folio for copies of Records in the time of King James the First, unless indeed the writing be very difficult to make out, or the transcript be in the Latin language, or that the rate of charge exceeds seventy-two words to the folio. Subject to

* Page 65.

these limitations, Mr. Minchin takes leave to state, that any person who hath paid any sum exceeding the rate of 1s. 4d. per folio will have the surplus returned upon application to the Duchy Office, and convincing the proper officer of the fact of such previous payment."

This is a candid and proper acknowledgment of an error: but still the fee of 1s. 4d. per folio, which is admitted to be the sum charged for transcripts, is *fourpence* more than was authorized by the Commissioners, excepting for records, in transcribing which "there is any considerable difficulty arising from the antiquity or language," whereas it seems from the above memorandum, that in *such* cases a *higher charge* than the *maximum* fixed upon by the Commissioners for *any transcripts whatever* is demanded.

It has been suggested that, from the manner in which the expense of the third volume of the "Ducatus Lancastriæ" is stated in page 123 of the "Observations," it might be supposed that the *third volume* cost £5750. My meaning was, that the whole cost of the third volume had not been ascertained, but that £5750 had already been paid for *the work*, i. e., for part of the third volume and for the two preceding volumes. No misinterpretation of my words, with respect to the works printed by

the Commission, however, can again occur, because a full and minute account of the costs of every volume, whether for literary labour, or for printing, paper, &c., will be found in a subsequent page.

It is stated in page 7 of the "Observations," that the Records of the Exchequer, which were lately *lying in bags in Westminster Hall*, but have been recently *removed to the King's Mews*, contain documents of the utmost historical value, though, from the condition in which they are suffered to remain, they are entirely useless for that or any other purpose. The lamentable state of these records has been well noticed by Dr. Nott, in his *Life of the Earl of Surrey*: he observes—
 "Much might be ascertained if the Records in the Exchequer Office could be consulted. But the treasures of that court are reduced to no better order than the Sybilline leaves when once the wind had scattered them; and those who go to examine them, like the disappointed inquirers of old,

'Inconsulti abeunt, sedemque odère Sybillæ.'"

P. xliv. note.

It is said in the same page, that the Privy Purse Accounts, for several years of King Henry the Seventh are now among the records belonging to the Office of the King's Remembrancer of the Ex-

chequer, which are lying in bags in the Mews. The fact, however, is, that the volume containing those accounts is now in the possession of Sir Thomas Phillipps, Bart., whose zeal in collecting manuscripts, and liberality in allowing access to his library, merit the highest praise. It was purchased at the sale, by public auction, of the library of Craven Ord, Esq., one of the Secondaries of the Exchequer, in June, 1829; but as it appears, from the following circumstance, that this Manuscript once formed part of the Records of the Exchequer, it is singular that it should have become private property. In the Appendix to Henry's History of Great Britain,* several extracts are given from those accounts, to which this title is prefixed—"Extracts from a MS. Book in the Remembrancer's Office, almost every page signed by K. Henry VII."

That the contents of the Offices of the Exchequer are of the most miscellaneous and valuable description, is manifest from the Report of the King's Remembrancer in 1801; but access to them is impeded by the fees demanded, and by the disgraceful condition in which they remain. The fees are, for every search of less than an hour's duration, in Term, 3*s.* 4*d.*, and out of Term,

* Vol. vi. Appendix, No. V. page 724, 4to.

6s. 8d. For a copy of every sheet of seventy-eight words, 8d., and if an ancient record, 1s. To the Bag-bearer in Term, 1s., and out of Term, 2s.

In 1801, the King's Remembrancer recommended, in his Report, that a proper person should be appointed to methodize and keep these Records; but the Secondaries and Sworn Clerks drew up a long statement against that proposition, on the ground that they were the proper Custodes, and had a vested interest, they being sworn not to embezzle or efface the Records.* The extent of that interest is shewn by the "Acccount of the Net Annual Amount of Fees received by the Clerks in Court respectively for Searches, Copies of, and Attendance, with Records for the three years ending 31st December, 1799," which occurs in the Report. The *eight* sworn Clerks (including the First and Second Secondary) and *seventeen* Side Clerks divided among them only £93. 19s. 3d., the largest sum received by one person being £20., and the lowest £1. 12s. 6d.; or, supposing the whole were equally divided, something less than £3. 16s. to each: and yet it is for the preservation of such petty interests that the public are debarred from important historical information!

AUGMENTATION OFFICE. The Records in this

* Page 159.

Office have, I understand, been sorted and arranged in a manner which, but for the following circumstance, would reflect credit upon Mr. Caley the Keeper. To a great many of the documents seals were attached, which it is scarcely necessary to remark gave validity to early instruments; but in the new arrangement *these seals have been purposely separated from the deeds*, an act of Gothism which cannot be too strongly reprehended, and which ought to be visited with a severe reprimand from the Home Office, in order that it may not be repeated in any other Repository. None but an antiquary can adequately judge of the impropriety of such an act as this, and yet it has been done by the gentleman who for twenty-four years has been Secretary to the Record Commission, and who during that long period has exercised very considerable influence over every thing connected with the Public Records! The fees of the Office in which this violation of taste and propriety has been committed have averaged, it is said, about £1000 per annum.

I take this opportunity to correct a passage in pages 160, 161, of the "Observations," where it is insinuated, that the reason why a Catalogue was made of the contents of the Chapter House was, that the Secretary to the Commission was then

Keeper of that Repository. I have since ascertained that he did not succeed to that situation until after the Catalogue was ordered to be made.

THE BARON DE JOURSANVAULT'S MSS.—It is proper to state, that Mr. Ellis, the principal Librarian of the Museum, denies, I am told, the justice of some parts of the account in the "Observations,"* respecting his examination of those manuscripts. It would give me great pleasure, if I could say that I was convinced the affair was not injudiciously conducted, but as I have not received any communication from Mr. Ellis, and as I consider that reliance can be placed upon the source whence the information reached me, I believe that my statement is substantially, if not strictly true. Under these circumstances, I can do no more than mention that Mr. Ellis does not admit the correctness of what is said on the subject. The Museum is, however, still in treaty for a small parcel of the Baron de Joursanvault's collections, which parcel, according to Mr. Ellis's report, contains all that are of value in illustration of *English History*. Of the opportunity which that learned gentleman had of forming an opinion, enough has been said; but whatever may be the errors which he has committed, with respect to his mission, it is

* Page 78—80.

fair to admit that they are not more remarkable than the caprice and folly of the worthy candidate for a Comté.

EXPENDITURE OF THE RECORD COMMISSION.*

When the chapter in the "Observations" on this subject was written, I had not access to any earlier Return of the Expenses of the Commission in detail, than between 1818 and 1829; but through the kindness of Mr. Protheroe, I have since consulted the Return which he moved for, and which was not printed, stating the whole expenditure of the Commission since its formation in 1801. To this and the other Returns I have devoted considerable labour, with the view of shewing, in a condensed form, the whole expenses of each of the books printed by the Commission, as well as its other disbursements; and though the remarks in the "Observations" may have prepared its readers to expect some extraordinary particulars, they will, I presume, be not a little astonished at the following statements. From the want of this information several errors occur in what I have said on the subject, as the amount actually expended has been *very much underrated* in every calculation I have made. For example, instead of the edition of the

* "Observations," chapter vi. page 110.

“Statutes of the Realm” having cost 38,393l.* *incomplete* as it is, it has cost upwards of *fifty-eight thousand pounds!*

Upon the “*Fœdera*,”† Sir William Betham, Ulster King of Arms, has lately remarked,—
 “Neither can a good reason be discovered, why, in
 “the printed *Fœdera*, a majority of the entries on
 “the early rolls in the Tower, particularly those
 “respecting Ireland, *are omitted*. Many Irish ar-
 “ticles are inserted, otherwise we might suppose
 “it had been intended to form a series of volumes,
 “respecting Ireland especially and particularly,
 “which would have been an object well worthy
 “the consideration of the record commissioners;
 “but, as the case now stands, it would be better
 “to print, in supplemental volumes, *all the omitted*
 “*entries*, whatever may be their subject matter, as
 “they are of fully equal value and interest with
 “those printed. This has been demonstrated by
 “Mr. Bayley, the able and intelligent deputy-

* “Observations,” chapter vi. pages 114, 116.

† For remarks on this edition of that work see “Observations,” page 89. With respect to the impropriety of reprinting the “*Fœdera*,” it is there said that the former editions were “neither scarce nor expensive.” Though this is correct in relation to the present time, I am informed that, until the peace, when numerous copies of the Hague edition were imported, copies of the work were rare and costly.

“ keeper of the records in the Tower, who printed
 “ the omissions of the sixth year of John, and they
 “ alone amount to nine pages of folio. The latter
 “ volumes are more complete, and the principle of
 “ exclusion of Irish documents has not been carried
 “ to such an extent, but many are omitted. Why
 “ should there be any *omissions*? Every state pa-
 “ per, charter, or letter, has its historical interest
 “ and value, and the *Fædera* is imperfect and com-
 “ paratively useless, without the complete body of
 “ documents. They consist, in part, of instructions
 “ to officers, charges against them, and their de-
 “ fences; in such cases, it is not sufficient to give
 “ one or two articles of a series *as a specimen*, the
 “ whole ought to appear; *examples* of what the
 “ records consist are not wanted; as evidence and
 “ materials of history they are alone valuable, and
 “ one may say, in that respect, they are inesti-
 “ mable. When we consider the character, learn-
 “ ing, and liberality of the individuals, under whose
 “ control, direction, and management, the new
 “ *Fædera* is now compiled, it is, indeed, difficult to
 “ account for the omission of those important ar-
 “ ticles; and it is much to be regretted, as motives
 “ of national hostility, contempt, and jealousy, are
 “ always ascribed, by a sensitive people, when no
 “ other rational or sufficient cause can be ascribed

“for so extraordinary an omission.”* Yet this work has already cost more than *thirty thousand pounds!*

The *two* volumes entitled “*Rotuli Hundredorum*” cost 9,251*l.* The five volumes of, the “*Valor Ecclesiasticus*,” which work is not yet completed, have cost 15,635*l.*, whilst the “*Rotuli Scotie*,” which consist of two volumes only, cost 8,287*l.*! Instead of the Commission having, as I presumed, spent about 250,000*l.*, the total amount expended under its directions exceeds *three hundred and forty thousand pounds*, which added to the sums paid by the government in salaries to Record Keepers, and in other ways connected with the Public Muniments in England and Ireland between 1801 and 1831, forms the enormous total of about *five hundred and fifty thousand pounds*; but, notwithstanding this immense outlay upon Records, not a document can be inspected or transcribed without heavy fees being demanded; and the Records are, in many offices, not at all better arranged, or more accessible to the public, than they were before a shilling of that money was expended!

* “*Dignities Feudal and Parliamentary*,” vol. i. pages 226, 227, 228.

PARLIAMENTARY RETURNS,

UPON WHICH THE CALCULATIONS IN THE FOLLOWING
STATEMENT WERE MADE.

- I. Return of the Money produced by the Sale of the Record Volumes.
Ordered to be printed, 18th February, 1822.
- II. Return of the Expenses of the Irish Record Commission, from 1810
to January, 1822. Ordered to be printed 12th July, 1822.
- III. Account of the Receipts and Expenses of the Record Commission,
from 1822. Ordered to be printed 1st July, 1825.
- IV. Ditto, from 1824 to 1827. Ordered to be printed 17th April, 1828.
- V. Return of Money voted on account of the Record Commissions, for
printing in 1826, 1827, and 1828. Printed 27th June, 1828.
- VI. Return of the manner in which the Sums charged in the Civil Con-
tingencies, as paid to the Commissioners of Public Records in the
years 1826, 1827, and 1828, have been expended. Ordered to be
printed, 24th June, 1829.
- VII. Ditto, for 1829. Ordered to be printed, 18th March, 1830.
- VIII. Return, specifying the names of every person employed as Sub-
Commissioner, Clerk, Transcriber, or otherwise, in editing, &c.
the Works published by the Commission, and the Expenses in-
curred from 1801 to 1829. A Return, shewing these facts, between
1819 and 1829 was ordered to be printed 29th April, 1830.

TAXATIO ECCLESIASTICA.

One Volume, folio, pp. 448. Published 1802. In hand
from August, 1800, to March, 1802. 1500 Copies printed.

	£.	s.	d.	£.	s.	d.
Rev. Sam. Ayscough, Co-Editor, transcribing, collating, correct- ing the Press, and making Index	425	0	0			
Mr. Caley, Co-Editor, correcting the Press	50	0	0			
Engraver	10	10	0			
Paper	651	6	6			
Printing	528	15	0			
Binding	196	17	6			
				1862	9	0
Carried forward.....	£1862	9	0			

	£.	s.	d.
Brought over	1862	9	0
CALENDARIUM ROTULORUM PATENTIIUM.			

One Volume of 463 pages. Published in 1802. In hand from September, 1800, to 1802. 1500 Copies printed.

	£.	s.	d.
Rev. Sam. Ayscough, Co-Editor, correcting the Press, and making Index	175	0	0
Mr. Caley, Co-Editor, for correct- ing the Press, &c.	50	0	0
Mr. Basire, Engraver	63	0	0
Paper	603	10	6
Printing	458	3	0
Binding	196	17	6
	<hr/>		
	1546	11	0

CALENDARIUM ROTULORUM CHARTARUM ET AD QUOD DAMNUM.

One Volume, pp. 596. Published 1803. In hand from December, 1800, to 1803. 1500 Copies printed.

Mr. Caley, Co-Editor, preparing Copy for the Press, and correct- ing and forming Indexes	200	0	0
Mr. Caley, Editor, disbursements on Index to Charter Rolls	49	14	0
Mr. I. B. Richards, for collating and correcting the Calendars to the Charter and Clause Rolls ..	50	0	0
Mr. John Dale, transcribing Calen- dars to the Clause and Charter Rolls	109	0	0
Mr. Basire, Engraver	110	16	0
Paper	777	4	0
Printing	705	6	6
Binding	196	17	6
	<hr/>		
	2198	18	0
Carried forward	£5607	18	0

£. s. d.
Brought over..... 5607 18 0

ROTULORUM ORIGINALIUM, VOL. I.

Two Volumes. Vol. i. pp. 423. Vol. ii. pp. 484. The first volume appeared in 1805, and the second in 1810. In hand from March, 1802. 1500 printed.

	£.	s.	d.
Mr. Playford, Co-Editor, arranging, transcribing, and abstracting Records, and making Calendars	1200	0	0
Mr. Caley, Co-Editor, preparing and revising for Press	250	0	0
Mr. Richards, Compiler of Index, for making the Index	50	0	0
Mr. Illingworth, ditto	12	12	0
Mr. Horne, assistance in compiling an Index	42	0	0
Mr. A. Tomlins, compiling Indexes	46	0	0
Mr. Walden, for transcribing Official Repertories, and assisting in correcting the work	52	6	0
Mr. Hughes, ditto	219	0	0
Mr. Basire, Engraver	31	16	0
Paper	532	16	0
Printing	493	2	6
Binding	200	0	0
	<hr/>		
	3129	12	6

VOL. II.

Mr. Playford, Co-Editor, transcribing, and abstracting, and to his Clerk, for transcribing, correcting, &c.	831	0	0
Mr. Caley, Co-Editor, preparing and revising for Press	72	10	0
	<hr/>		
Carried forward.... £	903	10	0
	£8737	10	6

ROT. ORIGINALIUM, <i>continued.</i>	£.	s.	d.	£.	s.	d.
Brought over..	903	10	0	8737	10	6
Mr. Ellis, compiling Index.....	15	15	0			
Mr. A. Tomlins, ditto.....	48	10	0			
Paper.....	701	2	0			
Printing.....	569	6	6			
Binding.....	237	10	0			
				2475	13	6

ROTULI HUNDREDORUM, VOL. I.

Two Volumes. Vol. i. pp. 700, published 1812. Vol. ii. pp. 1100, published 1818. In hand from March 1805 to 1818. Of Vol. i. 1500, of Vol. ii. 1000 Copies printed.

Mr. Illingworth, Co-Editor, for attending at Chapter House, revising Hundred Rolls for Press, making Index to Petitions in Parliament, and arranging and making abstracts of Records there .	970	11	0			
Mr. Caley, Co-Editor, assisting to revise Hundred Rolls and the proof sheets.....	379	0	0			
Mr. Richards, transcriber, transcribing the Hundred Rolls, arranging Records, and assisting Mr. Illingworth.....	912	10	0			
Mr. John Davies, Compiler of Indexes, £100. and transcribing Hundred Rolls	374	12	3			
Mr. Basire, Engraver, engraving Fac Similes.....	21	0	0			
Paper	1062	0	0			
Printing	900	11	6			
Binding.....	256	5	0			
				4876	9	9
Carried forward.....	£16089 13 9					

£. s. d.
Brought over 16089 13 9

VOL. II.

	£.	s.	d.
Mr. Caley, Co-Editor, revising Hundred Rolls in the Press ...	315	0	0
Mr. John Davies, transcriber, tran- scribing Hundred Rolls and com- piling Indexes.....	638	14	0
Mr. Illingworth, Co-Editor, for correcting proof sheets of the Hundred and Quo Warranto Rolls, correcting Proofs, and compiling Preface, £21.....	237	6	0
Paper.....	1142	0	0
Printing.....	1791	15	6
Binding.....	250	0	0
	<hr/> 4374 15 6		

INQUISITIONES NONARUM.

One Volume, pp. 485. In hand from March 1803 to 1807. Published 1807. 1500 Copies printed.

Mr. Vanderzee, Co-Editor, pre- paring Nonæ Rolls for Press, correcting proof sheets, making searches, including £15. for ex- penses to Oxford.....	1057	15	0
Mr. Caley, Co-Editor, assisting to revise Nonæ Rolls	37	10	0
Mr. Winton, Bagbearer, attending Sub-Commissioners.....	35	5	0
Rev. J. Price, paid for transcript of Nona Roll at Warwick	10	0	0
Carried forward....	£1140	10	0
	<hr/> £20464 9 3		

INQUIS. NONARUM, <i>continued.</i>		£.	s.	d.	£.	s.	d.
Brought over..		1140	10	0	20464	9	3
Mr. Basire, engraving a Fac Simile		36	17	0			
Paper.....		614	8	0			
Printing		554	10	6			
Binding		200	0	0			
					<hr/> 2546 5 6		

TESTA DE NEVILL.

One Volume, pp. 599. Published 1807. In hand from March 1804 to March 1807. 1500 Copies printed.

Mr. Caley, Editor, preparing and revising for Press.....	162	0	0				
Mr. Foot, transcriber, transcribing at 8d. per folio.....	298	4	4				
Mr. Illingworth, attending at Chapter House, examining Testa de Nevill, abstracting, &c. transcribing and collating Records.	350	0	0				
Mr. Ellis, compiling Index Locorum	68	18	0				
Mr. Horne, compiling Index Nominum	49	17	6				
Mr. Basire, engraving a Fac Simile	36	17	0				
Paper	744	0	0				
Printing	652	7	6				
Binding	200	0	0				
					<hr/> 2562 4 4		

ABBREVIATIO PLACITORUM.

One Volume, pp. 585. Published 1811. In hand from July 1804 to 1811. 1500 Copies printed.

Mr. Caley, Co-Editor, assisting to revise "Abbreviatio Placitorum"	90	0	0				
Mr. Illingworth, Co-Editor, making abstracts in the Tower, £350. for the Index Rerum, Preface, and for other assistance	770	0	0				
					<hr/>		
Carried forward....	£860	0	0	£25572	19	1	

ABBREV. PLACITORUM, <i>continued.</i>		£.	s.	d.	£.	s.	d.
Brought over..		860	0	0	25572	19	1
Mr. John Davies, Compiler of Index, compiling an Index.....		106	1	0			
Engraving specimens of the Placita		126	0	0			
Printing 1500 copies of Exemplaria Placitorum		47	5	0			
Paper		874	0	0			
Printing		773	4	6			
Binding		237	10	0			
					3024	0	6

PLACITA DE QUO WARRANTO.

One Volume, pp. 966. Published 1818. In hand from March 1810. 1000 printed.

Mr. Illingworth, Co-Editor, abstracting, transcribing at 8d. per folio, and correcting proofs and writing Preface, £21.....	834	1	0				
Mr. Caley, Co-Editor, revising the Press	315	0	0				
Mr. Davies, for compiling Indexes	131	8	9				
Paper	1012	10	0				
Printing	1600	18	0				
Binding	237	10	0				
Printing Fac Similes of the Work	47	5	0				
				4178	12	9	

ROTULI SCOTIÆ.

Two Volumes. Vol. i. pp. 983, published 1812. Vol. ii. pp. 644, published 1819. In hand from August, 1807, to 1819. Of Vol. i. 1500; of Vol. ii. 1000 Copies printed.

Mr. Macpherson, Editor, for preparing for Press, and correcting proof sheets, &c. and for making extracts from the Patent Rolls relative to Scotland.....	2680	0	0				
Carried forward....	£2680	0	0	£32775	12	4	

ROT. SCOTIA, continued.		£.	s. d.	£.	s. d.
Brought over..		2680	0 0	32775	12 4
Mr. Illingworth, for correcting the					
Press		128	2 0		
Mr. Caley, Corrector of Press, and					
revising		52	10 0		
Rev. J. H. Horne, for Index and					
Preface		103	19 0		
Engraving Specimens of the Work		43	18 0		
Paper.... Vol. i.		1638	0 0		
	Vol. ii.	715	17 6		
Printing .. Vol. i.		1295	0 6		
	Vol. ii.	1049	0 6		
Binding .. Vol. i.		368	15 0		
	Vol. ii.	212	10 0		
				8287	12 6

STATUTES OF THE REALM.

Nine Volumes, and Two Volumes of Indexes. Vol. i. appeared in 1810, Vol. ix. in 1822, and the Indexes in 1824 and 1828. 500 copies printed.

Dec. 1800, to Dec. 1804. Co-Editor,			
Alex. Luders, Esq. translating,			
superintending, and preparing			
Statutes, &c. for the Press, &c.	2500	0 0	
Dec. 1800, to July, 1818. Co-Editor,			
T. E. Tomlins Esq.	7600	0 0	
Dec. 1800, to March, 1809. Co-			
Editor, John France Esq.	1760	0 0	
May, 1806, to March, 1817. Co-			
Editor, Mr. Taunton, translating			
and preparing for Press	3250	0 0	
1818. Co-Editor, Mr. Raithby...	1079	8 0	
Dec. 1800, to March, 1804. Mr.			
Richards, collating, examining,			
and transcribing	1087	4 0	

Carried forward.... £17276 12 0 £41063 4 10

STATUTES, <i>continued.</i>		£.	s.	d.	£.	s.	d.
Brought over..		17276	12	0	41063	4	10
Dec. 1800, to 1805. Mr. Caley, collating and examining, in various places		675	0	0			
Dec. 1800, to 1813. Mr. Illingworth, collating, examining, and preparing for Press		1490	0	0			
March, 1803. Mr. Davies, attending on Sub-Commissioners about this work		50	0	0			
1803. Mr. Lemon, attendant on Sub-Commissioners on this work		50	0	0			
1806. To Messrs. Tomlins and Illingworth, as travelling expenses to various Cathedrals, to collate Statutes		375	16	0			
1808. Mr. Warburton, collating Statutes at Dublin		21	0	0			
1810. To Mr. Woodthorpe, for ditto, in the Town Clerk's Office, London		52	10	0			
1814 to 1819. To Mr. A. Tomlins, for transcribing and examining Statutes, and revising Proofs, and compiling an Index		2398	8	6			
March, 1817. To P. N. Tomlins, for transcribing		227	10	0			
1818. To Mr. J. Davies, for collating and examining proof sheets		986	10	8			
1818. To Mr. Madock, for ditto .		485	2	0			
March, 1819, to April, 1820. Mr. Raithby, Editor		417	18	0			
Two Collators and Examiners ...		415	16	0			
March, 1820, to July, 1821. Mr. Raithby, Editor		564	18	0			
Carried forward....		£25487	1	2	£41063	4	10

STATUTES, <i>continued.</i>		£.	s. d.	£.	s. d.
Brought over..		25487	1 2	41063	4 10
Two Collators and Examiners....		760	18 8		
March, 1821, to April, 1822. Mr.					
Raithby, Editor		645	4 6		
Two Collators and Examiners....		738	6 0		
1823 to 1824. Editor for Index..		394	16 0		
1824 to 1828. Editor for Index..		1110	0 0		
Assistance to the Editor		49	17 6		
				29186	3 10
Published					
1810. Vol. i.	Paper	558	9 0		
	Printing ...	2832	13 4		
	Binding ...	208	0 2		
				3599	2 6
1816. Vol. ii.	Paper	651	9 0		
	Printing ...	1756	8 2		
	Binding ...	306	5 0		
				2714	2 2
1817. Vol. iii.	Paper	902	16 0		
	Printing ...	2290	3 0		
	Binding ...	331	5 0		
				3524	4 0
1819. Vol. iv. Part i.	Paper	602	2 0		
	Printing ...	1579	6 6		
	Binding ...	306	5 0		
				2487	13 6
1819. Vol. iv. Part ii.	Paper	399	12 0		
	Printing ...	1053	11 0		
	Binding ...	306	5 0		
				1759	8 0
1819. Vol. v.	Paper	772	4 0		
	Printing ...	1718	13 0		
	Binding ...	331	5 0		
				2822	2 0
1819. Vol. vi.	Paper	483	6 0		
	Printing ...	1101	17 0		
	Binding ...	318	15 0		
				1903	18 0
Carried forward....		£89059	18 10		

STATUTES, <i>continued.</i>		£.	s.	d.	£.	s.	d.
Brought over.....		890	59	18	10		
1811 to 1817. To Engravers		921	13	0			
1811. Printing 1500 copies of the							
Charters of Liberties		143	5	0			
					1064	18	0
1820. Vol. vii. Engraver		92	18	6			
Printer		1168	10	0			
Paper		576	16	0			
Binding		318	15	0			
					2156	19	6
1821. Vol. viii. Engraver		135	5	0			
Paper		617	8	0			
Printing		1267	5	0			
Binding		318	15	0			
					2338	13	0
1822. Vol. ix. Engraver		171	13	6			
Printing		1401	13	0			
Paper		717	17	0			
Binding		331	5	0			
					2622	8	6
1823. Alphabetical Index. Paper..		232	16	0			
Printing		495	7	0			
Binding		279	3	4			
					1007	6	4
1828. Chronological do. Paper..		588	13	0			
Printing		1344	11	3			
Binding		271	17	6			
					2205	1	9
Carried forward....		£1004	55	5	11		

Total, Chronological Index .. £3364 19 3

Total, Alphabetical Index. ... £1402 2 4

Total for the Statutes £59392 1 1

£. s. d.
Brought over 100455 5 11

CATALOGUE OF LANSDOWNE MSS.

Two Volumes, folio. In hand from January, 1812, to August, 1819. 1000 Copies printed.

	£.	s.	d.
Mr. Ellis, for compiling the Catalogue and writing the Preface..	260	10	0
Correcting the Press, and compiling Index	166	8	6
Printing	1487	9	6
Binding	76	0	0
	<hr/>		
	1990	8	0

CALENDARIUM INQUISITIONUM POST MORTEM, VOL. I.

Four Volumes. Vol. i. pp. 534. Published in 1806. Vol. ii. pp. 580, in 1807. Vol. iii. pp. 511, in 1821. Vol. iv. pp. 746, in 1821. In hand since 1803. Of Vols. i. ii. 1500 printed; of Vols. iii. iv. 1000 printed.

Mr. Caley, Co-Editor, preparing and revising for Press	150	0	0
Mr. Lemon, Sen. Co-Editor, for revising transcripts	160	0	0
Mr. Lemon, Jun. transcriber, making transcripts of Calendars, and compiling Index	236	17	6
Mr. Dale, for transcripts	200	0	0
Paper	662	8	0
Printing	515	4	6
Binding	200	0	0
Engraving	21	0	0
	<hr/>		
	2145	10	0

VOL. II.

Mr. Caley, Co-Editor, preparing and revising for Press	149	10	0
Mr. Dale, transcriber, making transcript of Calendars	101	10	0
	<hr/>		

Carried forward £251 0 0 £104591 3 11

INQUIS. POST MORTEM, <i>continued.</i>	£.	s.	d.	£.	s.	d.
Brought over..	251	0	0	104591	3	11
Mr. Lemon, Jun. Compiler of Index, for compiling Index	210	2	4			
Mr. Lemon, Sen. Co-Editor, revising transcript of the Calendar	50	0	0			
Mr. Basire, Engraver	21	0	0			
Paper.....	799	4	0			
Printing	544	0	6			
Binding	225	10	6			
				2100	17	4

VOL. III.

Mr. Lemon, Sen. Co-Editor, revising transcript of the Calendar	100	10	0			
Mr. Bayley, Co-Editor, revising and correcting the Calendar ..	410	7	0			
Mr. Caley, Co-Editor, revising the work in the Press	210	0	0			
Mr. Lemon, Jun. preparing copy.	82	3	0			
Paper	458	17	0			
Printing	685	1	0			
Binding	191	13	4			
				2138	11	4

VOL. IV.

Co-Editors, Mr. Bayley	1162	19	0			
Mr. Caley	367	10	0			
Printing.....	930	14	0			
Paper	609	12	0			
Binding	375	0	0			
				3445	15	0
Carried forward....	£112276	7	7			

	£.	s.	d.
Brought over....	112276	7	7

VALOR ECCLESIASTICUS, VOL. I.

Five Volumes. Vol. i. pp. 519. Published in 1810. Vol. ii. pp. 584, in 1814; iii. pp. 587, in 1817; iv. pp. 538, in 1821; and v. pp. , in 1825. Of Vol. i. 1500 copies printed; of Vols. ii. iii. iv. v. 1000 copies. Appendix and General Index not completed, but part of the expense paid.

	£.	s.	d.
Mr. Caley, Editor, preparing and revising for Press.....	342	10	0
Mr. Shrigley, for transcribing ...	656	13	4
Mr. Lemon, for making an Index	178	0	0
Mr. Brickman, for collating names of Benefices, annexing abbrevia- tions, &c.	50	0	0
Engraving Maps of different Dio- ceses	504	10	0
Engraving Fac Simile.....	73	10	0
Printing 1500 Copies of the Fac Simile.....	15	15	0
Paper	830	5	0
Printing	809	2	6
Binding	331	5	0
	<hr/>		
	3791	10	10

VOL. II.

Mr. Caley, Editor, preparing and revising for Press	425	0	0
Mr. Lemon, Compiler of Index ..	89	14	9
Mr. Shrigley, transcriber at 8d. per folio	335	0	0
Mr. Arrowsmith, Engraver, engra- ving Maps of Dioceses for Valor Ecclesiasticus	360	0	0

Carried forward....	£1209	14	9	£116067	18	5
---------------------	-------	----	---	---------	----	---

VAL. ECCLESIASTICUS, <i>continued.</i>	£.	s.	d.	£.	s.	d.
Brought over..	1209	14	9	116067	18	5
Mr. Rickman, for collating names of Benefices, annexing abbrevia- tions, &c.....	75	0	0			
Paper	616	5	0			
Printing	861	7	0			
Binding	258	6	8			
				3020	13	5

VOL. III.

Mr. Caley, Editor, preparing and revising for press	420	0	0			
Mr. Lemon, Compiler of Index ..	79	10	3			
Mr. Arrowsmith, Engraver, draw- ing and engraving Maps of Dio- ceses	586	16	0			
Mr. Lemon, Compiler of Index ..	40	0	0			
Mr. Newson, Transcriber at 8 <i>d.</i> per folio	418	6	8			
Paper	586	3	0			
Printing	918	9	0			
Binding.....	258	6	8			
				3307	11	7

VOL. IV.

Mr. Caley, Co-Editor.....	157	10	0			
Mr. Lemon, Co-Editor.....	75	2	6			
Transcriber.....	280	13	4			
Engraver	796	10	0			
Paper	499	13	0			
Printing	851	10	0			
Binding.....	233	6	8			
				2894	5	6

Carried forward.... £125290 8 11

	£.	s.	d.
Brought over....	125290	8	11

VALOR ECCLESIASTICUS, VOL. V.

	£.	s.	d.
Mr. Caley, Co-Editor.....	210	0	0
Mr. Lemon, Co-Editor.....	81	2	9
Transcriber	38	10	0
Printing	599	17	0
Paper	360	6	0
Binding.....	225	0	0
Engraver	587	5	0
Mr. Rickman, for collating names of benefices and other assistance in preparing Maps to Vols. III. IV. V.....	200	0	0

APPENDIX and GENERAL INDEX.

Mr. Caley, Co-Editor.....	157	10	0
Transcriber.....	28	6	0
Portion for 2 Vols. to Mr. Rickman	133	6	8
	<hr/>		
	2621	3	5

FÆDERA, VOL. I.

Three Volumes in six Parts. Vol. i. Part i. pp. 499, and Part ii. pp. 574. Published in 1816. Vol. ii. Part i. pp. 680. Published in 1818, and Part ii. pp. 594, in 1821, Vol. iii. Part i. pp. 594, in 1825, and Part ii. pp. 541. Published in 1830. In hand from June, 1802, and brought down to 51 Edw. III. Anno 1377. 500 printed.

Dr. Adam Clarke, Editor, and for his Clerk, compiling, &c. and compiling Index	4550	0	0
Mr. Lemon, Transcriber, forming Selections for the new edition..	50	0	0

Carried forward....	£4600	0	0	£127911	12	4
---------------------	-------	---	---	---------	----	---

FÆDERA, <i>continued.</i>			£.	s.	d.	£.	s.	d.
Brought over....			4600	0	0	127911	12	4
Mr. Bayley, Co-Editor, for searches, copies, collations, and attendance at the Tower, &c. for transcribing			665	5	6			
Mr. Lysons, Keeper of the Records at the Tower, disbursements made by him for a Selection of Papers for the new edition.....			152	14	0			
Mr. F. Holbrooke, Co-Editor, compiling new edition, and for disbursements made by him			1063	4	0			
Fac Similes			439	10	0			
Mr. J. Clarke, for Index			36	15	0			
Paper			1154	3	9			
Printing			2624	3	3			
Binding.....			608	6	8			
Printing Fac Similes, Copperplates			240	1	0			
						11584	3	2

FÆDERA, VOL. II. PART I.

Dr. Adam Clarke, Co-Editor, correcting proof sheets, and compiling a Continuation and Supplement			714	10	1½			
Mr. Holbrooke, Co-Editor.....			300	0	0			
Mr. Bayley, Co-Editor, business done in the new edition in the year ending the 25th of March 1818			225	12	0			
Mr. Charles Devon, Compiler of Index, revising and correcting the Index of the Fædera			5	5	0			
Mr. J. Clarke, Compiler of Index			29	8	0			
Paper.....			582	0	0			
Carried forward....			£1856	15	1½	£139495	15	6

FEDERA, <i>continued.</i>			£.	s.	d.	£.	s.	d.
Brought over....			1856	15	1½	139495	15	6
Printing			1463	8	6			
Binding.....			281	5	0			
						3601	8	7½

FEDERA, VOL. II. PART II.

Co-Editors, Mr. Caley.....			630	0	0			
Mr. Bayley.....			691	2	0			
Mr. Holbrooke.....			900	0	0			
Collator of Bulls.....			50	0	0			
Compiler of Index.....			39	7	6			
Paper.....			479	14	0			
Printing.....			1185	19	0			
Binding.....			281	5	0			
						4257	8	0

VOL. III. PART I.

Co-Editors, Mr. Caley			630	0	0			
Mr. Bayley			1562	9	6			
Mr. Holbrooke			900	0	0			
Compiler of Index.....			52	10	0			
Engraver			59	11	0			
Paper			464	11	0			
Printing			1193	16	9			
Binding.....			281	5	0			
						5144	3	3

VOL. III. PART II.

Co-Editors, Mr. Caley.....			840	0	0			
Mr. Bayley			2307	13	6			
Mr. Holbrooke			1200	0	0			
Printing.....			952	13	0			
Paper.....			378	10	6			
Binding			122	18	4			
						5801	15	4

Carried forward.... £158300 10 8½

£ s. d.
Brought over.... 158300 10 8½

DOMESDAY BOOK.

One Volume. Published 1811. 1500 copies printed.

	£.	s.	d.
Mr. Ellis and others, transcribing and preparing Index for press..	80	0	0
Mr. H. Ellis, making Index Rerum, £75; for correcting the press of Index Rerum, £91 12s. 3d., and preparing a General Introduction, £200; final payment, £200, in all.....	632	12	3
Mr. Thompson, Index Locorum to Domesday, correcting the same in the press	1000	0	0
Mr. Clarke, compiler of General County Index, and correcting proof sheets of the same.....	100	0	0
Mr. A. Tomlins, Compiler of Index, assisting Mr. Thompson..	741	0	0
	<hr/>		
	2553	12	3

EXETER DOMESDAY.

One Volume. Published 1816. 1000 copies printed.

Mr. Caley, expenses in journey to Exeter	35	0	0
Mr. Barnes, transcribing Domesday Book at Exeter, at 1s. per folio, £402 13s.; making abstracts, £11 11s. in all.....	414	4	0
Mr. Jones, for collating and examining copy for press.....	105	0	0
Mr. Ellis, Editor, for transcript from Ely Chartulary, for cor-			
Carried forward....	£554	4	0
	<hr/>		
	£160854	2	11½

A A

EXETER DOMESDAY, <i>continued.</i>	£	s.	d.	£.	s.	d.
Brought over. . . .	544	4	0	160854	2	11½
recting the press of Ely, Winton, and Boldon Book Domesdays, for transcribing Boldon and part of Winton Domesday, and expenses on his journey to Durham	250	3	2			
Mr. Barnes, for correcting the press of Exeter Domesday	105	0	0			
Mr. Nelson, for a transcript of the Boldon Book	2	16	0			
				912	3	2

WINTON DOMESDAY.

Mr. H. Ellis, Editor, for further transcript of the Winton Domesday	26	14	0			
Rev. H. H. Baber, for collation	3	3	0			
Mr. J. Basire, Engraver, drawings, engravings, &c.	85	5	4			
Paper—Domesday Book Indices.	1115	13	9			
Ditto reprinted.	423	12	0			
Domesday Book Addita- menta.	749	14	6			
Printing—Domesday Book Indices	1016	19	6			
Ditto reprinted.	1112	11	0			
Domesday Book Addi- tamenta	1125	4	0			
Binding—Domesday Book Indices	270	16	8			
Ditto reprinted.	169	15	10			
Domesday Book Addi- tamenta	312	10	0			
				6411	19	7
Carried forward. . . .	£168178	5	8½			

£. s. d.
Brought over.... 168178 5 8½

CATALOGUE OF THE COTTONIAN MSS.

The greater part of the expenses of this Catalogue were paid before the Record Commission was established. One Volume Folio. 1500 copies printed.

	£.	s.	d.
Joseph Planta, Esq. Editor, superintending the printing, &c. forming Index, correcting the press, and in full for the completion of this work.....	250	0	0
	250 0 0		

CATALOGUE OF THE HARLEIAN MSS.

Four Volumes. In hand from March, 1801, to July, 1812. The first volume was published in 1808, and the last in 1812. 1500 copies printed.

Rev. Robert Nares, Editor, correcting the Catalogue of the MSS. in the British Museum, and revising and correcting the Catalogue of the Harleian MSS....	500	0	0
Mr. Henry Ellis, Editor, correcting and revising the Harleian Catalogue	117	1	0
1808 to 1812. Mr. Horne, Compiler, making and revising Indexes	500	0	0
Dr. Purdy's widow, Assistant Compiler of Index	20	0	0
Mr. Horne, Compiler of Index to Harleian Catalogue.....	600	0	0
Paper.. Vol. i.	1003	4	0
Vol. ii.	1060	4	0
Vol. iii.	780	18	0
Vol. iv.	804	0	0

Carried forward.... £5385 7 0 £168428 5 8½

CAT. HARL. MSS. <i>continued.</i>			£.	s.	d.	£.	s.	d.
Brought over..			5385	7	0	168428	5	8½
Printing, Vol. i.			470	0	0			
Vol. ii.....			534	5	0			
Vol. iii.			399	16	0			
Vol. iv.			792	8	6			
Binding, Vol. i.			225	0	0			
Vol. ii.			225	0	0			
Vol. iii.			250	0	0			
Vol. iv.			237	10	0			
						8519	6	6

DUCATUS LANCASTRIÆ, VOL. I.

Three Volumes. Vol. i. pp. 391. Published 1823.
 Vol. ii. pp. 509. Published 1827. Vol. iii. pp. .
 Published 18... In hand from 1819 to 1829. 1000 printed.

Co-Editors, Mr. Caley (no charge).

Mr. Minchin, also Compiler	441	1	1		
Writing Clerk	201	12	5		
Paper	326	8	0		
Printing	520	12	6		
Binding	191	13	4		
				1681	7 4

VOL. II. SUPPLEMENTAL CALENDAR.

Co-Editors, Mr. Caley (no charge).

Mr. Minchin	1013	0	6		
Writing Clerk	405	4	9		
Paper	425	15	0		
Printing	656	9	0		
Binding	487	10	0		
				2987	19 3

Carried forward.... £181616 18 9½

DUCATUS LANCASTRIÆ, *continued.*

£. s. d.

Brought over.... £181616 18 9½

VOL. III.

Co-Editors, Mr. Caley (no charge).

Mr. Minchin 842 1 4

Writing Clerk 249 3 4

1091 4 8CALENDARS OF PROCEEDINGS IN
CHANCERY, VOL. I.

Two Volumes. Vol. i. pp. 565. Published in 1827.
Vol. ii. pp. 527. Published in 1830. In hand from March,
1821. 1000 Copies printed.

Co-Editors, Mr. Caley (no charge).

Mr. Bayley 1493 17 3

Paper 628 13 0

Printing 1068 17 0

Binding 512 10 0

3703 17 3

VOL. II.

Co-Editors, Mr. Caley (no charge).

Mr. Bayley 1246 3 7

Paper	} not stated.
Printing	
Binding	

Carried forward.... £187658 4 3½

	£.	s.	d.
Brought over	187658	4	3½

PARLIAMENTARY WRITS.

This work is divided into divisions, of which the following Volumes are published:—Vol. I. begun at press, October, 1825; completed, July, 1827.—Vol. II., Division I. II., begun October, 1827; completed March, 1830.

The Sums expended on this Work since 1821, including £500 per annum for seven years to the Editor, for a new edition of the Rolls of Parliament, are for Editorship, collating Proofs, compiling Digests, Abstracts, and Calendars, and a Reward of £200, together with charges for Stationary, Salaries to Clerks, and other trifling disbursements, forming the sum total for Literary Labour, of

		9108	18	8
Paper, Vol. I.	767	18	0	
Ditto, Vol. II., Division I.	429	0	0	
Ditto, Vol. II., Division II.	607	10	0	
		1804	8	0
Printing ditto, Vol. I.	2690	8	3	
Ditto, ditto, Vol. II., Division I.	1462	1	0	
Ditto, ditto, Vol. II., Division II.	1565	2	0	
		5717	12	0
Binding, Ditto, Vol. I.	418	17	6	
Ditto, ditto, Vol. II., Division I.	126	0	10	
Ditto, ditto, Vol. II., Division II.	132	5	10	
		677	4	2
Total	£204966	7	1½	

A STATEMENT,

SHEWING AT ONE VIEW THE WHOLE AMOUNT EXPENDED ON
EACH OF THE WORKS PUBLISHED BY THE RECORD
COMMISSION FROM 1801 TO 1829.

No. of Vols.	£.	s.	d.
1. Taxatio Ecclesiastica	1862	9	0
1. Calendarium Rotulorum Patentium	1546	11	0
1. Calendarium Rotulorum Chartarum	2198	18	0
2. Rotulorum Originalium	5605	6	0
2. Rotuli Hundredorum	9251	5	3
1. Inquisitiones Nonarum	2546	5	6
1. Testa de Nevill	2562	4	4
1. Abbreviatio Placitorum	3024	0	6
1. Placita de Quo Warranto	4178	12	9
2. Rotuli Scotiæ	8287	12	6
9. Statutes of the Realm, with 2 vols. of Indexes	59392	1	1
2. Catalogue of the Lansdowne MSS.	1990	8	0
4. Calendarium Inquisitionum Post Mortem.	9830	13	8
5. Valor Ecclesiasticus	15635	4	9
3. Rymer's Fœdera	30388	18	4½
3. Indexes to Domesday Book and the Exeter and Winton Domesday	9877	15	0
1. Catalogue of the Cottonian MSS.*	250	0	0
4. Catalogue of the Harleian MSS.†	8519	6	6
3. Ducatus Lancastriæ	5760	11	3
2. Proceedings in Chancery	4950	0	10
2. Parliamentary Writs and Rolls of Parlia- ment	17308	2	10
Total....	£204966	7	1½

* This is only part of the expense of this work ; the remainder being paid previous to the institution of the Commission.

† Query if this be the whole cost of this work ?

**TOTAL AMOUNT EXPENDED BY THE RECORD
COMMISSION, FROM 1801 TO 1829.**

	£	s.	d.
Salaries and temporary Wages in England and Scotland, from March, 1801, to 1827.	111956	15	10½
Printing, Binding, and Stationary, in England, from 1801 to March, 1827	101719	16	5
Transcribing, Binding, and Securing Records in England from 1801 to March, 1827.....	42441	12	6
Printing, Binding, Paper, Warehouse Room, Insurance, Advertising and Securing Records, in Scotland, from 1801 to 1824	44907	8	7
Wages in Scotland, from March, 1827, to 1829	5618	5	0
Printing, Binding, and Engraving in Scotland, from 1824 to 1828 (the last Return on the subject)	2698	0	0
Paid as Wages to Editors, Collators, Transcribers, &c. for Literary Labour in England, from March, 1827, to March, 1829 *	12761	8	2
Paid for Printing, Paper, &c. from March, 1827, to March, 1829	13773	12	11
Carried forward....	£335876	19	5½

* There is great difficulty in ascertaining what sums have been spent by the Commission between March, 1827, and 1829, as no General Return for those years has been made. The statements relative to that period are taken chiefly from Return No. V.: but there may have been other disbursements.

	£.	s.	d.
Brought over..	335876	19	5½
Sums paid for Warehouse Room, Binding and Securing Records, and for other purposes than for the Works publishing by the Commission, between March, 1827 and 1829.....	1703	9	8
Expense of the Irish Commission, from 1810 to January, 1822.....	70754	3	9
	<hr/>		
	408334	12	10½
Deduct Sum produced by the Sale of the Works printed by the Record Commission from 1812 to 1827.....	5237	17	4
	<hr/>		
	403,096	15	6½
	<hr/>		

Assuming that the English Commission has spent or contracted to spend the same sum since March, 1829, as in the year preceding, there will be from Mar. 1829, to Mar. 1831, about	26000	0	0
Assuming that the Irish Commission has pro- ceeded at the same rate of expenditure to January, 1830, as between 1810 and 1822..	47000	0	0
Sums paid as Wages to two Record Offices <i>only</i> , viz. the Tower and Chapter House, Westmin- ster, from 1800 to 1830	70000	0	0
	<hr/>		
Total ...	£143000	0	0

The sum total which appears to have been spent on the Public Records in England, Scotland, and Ireland, between 1800 and 1830 is £546,096 15s. 6½d.

**SUMS RECEIVED BY MR. CALEY, SECRETARY TO THE
RECORD COMMISSION, FROM 1801 TO 1829.**

In page 141 of the "Observations on Historical Literature," a statement is given of the sums received by Mr. Caley, the Secretary to the Commission, between 1809 and 1829, but the following account embraces the whole period since the Commission was established.

	£.	s.	d.
I. Co-Editor of <i>Taxatio Ecclesiastica</i> , paid between Sept. 1800 and March 1802 .	50	0	0
II. Co-Editor of <i>Calendarium Rotulorum Patentium</i> , paid between Sept. 1801 and March 1802	50	0	0
III. Editor of <i>Calendarium Rotulorum Chartarum</i> , paid between March 1802 and March 1804.....	200	0	0
IV. Co-Editor of <i>Rotulorum Originalium</i> , paid between July 1802 and March 1810..	322	10	0
V. Co-Editor of <i>Rotuli Hundredorum</i> , paid between March 1808 and March 1818	694	0	0
VI. Co-Editor of <i>Nonarum Inquisitiones</i> , paid between July 1804 and March 1807..	37	10	0
VII. Editor of <i>Testa de Nevill</i> , paid between July 1804 and March 1807.....	162	0	0
VIII. Co-Editor of <i>Placitorum in Domo</i> , paid between July 1804 and March 1810..	90	0	0
IX. Co-Editor of <i>Placita de Quo Warranto</i> , paid between March 1812 and March 1818.....	315	0	0
X. Corrector of the Press of <i>Rotuli Scotiæ</i> 1818.....	52	10	0
XI. Various Items for collating the Statutes of the Realm, paid between January 1801 and March 1805.....	675	0	0
Carried forward....	£2648	10	0

	£.	s.	d.
Brought over....	2648	10	0
XII. Co-Editor of <i>Inquisitiones Post Mortem</i> , Vols. I. II, and III., paid between March 1823 and 1829	1034	10	0
XIII. Corrector and Revisor of 90 sheets of the General Index of the Statutes of the Realm	No charge.		
XIV. Editor of <i>Valor Ecclesiasticus</i> , paid be- tween March 1826 and 1829.....	1712	10	0
XV. Co-Editor of <i>Rymer's Fœdera</i> , paid be- tween 1818 and 1829.....	2100	0	0
XVI. Co-Editor of the <i>Ducatus Lancastriæ</i> ... No charge,			
XVII. Co-Editor of the Calendar of the Proceed- ings in Chancery.....	No charge.		
XVIII. Keeper of the Chapter House, West- minster, at £400 per annum, besides Fees	4000	0	0
XIX. Keeper of the Augmentation Office, to which no Salary is attached, but where Fees are paid to the Keeper for inspec- tion and copies of Records, the amount of which has not been ascertained*	Unknown.		
XX. Secretary to the Record Commission, at £210 per annum †.....	2100	0	0
XXI. For assistance and Documents furnished to the Lords Committees on the Dignity of a Peer of the Realm.....	1034	0	0
Total....	£14629	10	0

* It is presumed that those Fees exceed £1000 per annum.

† This is calculated from 1819 only, but as Mr. Caley became Secretary in 1805 (before March, 1806), if he received the same salary from that time to 1819, £2730 must be added to the £2100 which he has received as Secretary.

POSTSCRIPT.

SINCE the preceding sheets were printed, an article purporting to be a "temperate review" of the "Observations on Historical Literature" and of Mr. Palgrave's pamphlet, has appeared in the "Gentleman's Magazine." It was to be expected that a work, one of the Proprietors and Editor of which is the *printer to the Society of Antiquaries*, should affect to be outrageous with any effort to reform that Institution: nor is it surprising that its wrath should be kindled by an attempt to ridicule those "Resurrection Antiquaries," who disturb the bones of persons buried for centuries, those "Mole Antiquaries," who grope for knowledge underground, and those "Imaginary or Druidical Antiquaries," who interpret inscriptions, which one of them has happily described, as not being "intended to be intelligible,"* or write interminable essays upon stones and potsherds—persons who have brought ridicule upon the very name of an Antiquary, but who fill the pages of his Magazine and of the *Archæologia*.

The reviewer's remarks upon Record Offices and his objection to their contents being thrown open can only excite a smile at his ignorance; for it is no part of my suggestions that the records should be consulted excepting in the presence of a sworn officer, and so far from wishing the Clerks or Keepers to labour without remuneration, I have contended that they ought, like those in the Tower and Chapter House, to receive proper salaries, instead of fees. The absurdity, therefore, of talking about "stage coachmen" and "guards" and "baggage" is only exceeded by the general vulgarity of the whole article. The "business intercourse" in which the writer met with "liberal treatment" from Record Offices does not lessen the force of my arguments. The documents are public property, the Keepers are paid by the public, and the public have a right to free access to them, subject to the

* See the Description of some Armour in the *Archæologia*, Vol. XXII.

necessary regulations to secure their integrity. This is admitted in one part of this rhodomontade, and denied in another part, on the ground that it would stimulate idle curiosity, which is attempted to be proved by a story of certain country gentlemen who would not allow their houses to be described, lest people might ask to see them,—a logical deduction worthy of so erudite a writer.

The anecdote of Mr. Ellis's mission to Pommard, which *another of his friends* compels me again to notice, is elegantly called "a cock and a bull story," but not a word occurs to prove that Mr. Ellis was able to make himself intelligible, that he devoted more than *three hours* to examine the collection, that his advent and object were not announced in the French newspapers, or that the whole affair was not ill conducted. It is said the Baron, when desired to select all the manuscripts that related to English affairs, could only find two hundred and fifty documents, which are now on their journey to England. Why was not this selection made upon the report of *Mr. Ellis* himself, who is a much more competent judge than the Baron of what illustrates English History? and if he did not ascertain what part of the collection it was desirable the Museum should purchase, it was useless to go to Pommard. Surely that gentleman may exclaim :

"Pol ! me occidistis amici."

The Reviewer's defence of the manner in which the late Record Commission was formed, is as happy a specimen of a *non sequitur* as can be desired : "That there ought to be a sufficiency of "practical men we willingly admit;" *but* the "interest which individuals take in a thing is the best security for the proper conservation and management of it." Until this discovery, it was generally considered that *knowledge* of a subject was at least as important, but this learned reviewer naturally enough attaches slight importance to *knowledge*, which may be a convenient theory when *his labours* are under consideration, and which he consequently desires to render a canon of criticism.

The reviewer next notices Mr. Palgrave's pamphlet, and it is this circumstance alone which has induced me to allude to

the article. He repeats the greater part of the charges, and then comments upon them; but if as I contend, and as I hope I have proved, that those charges are *wholly* and *entirely untrue*, what is the value of the comments? Before that article was written, I informed the Editor of the "Gentleman's Magazine" that such was the character of Mr. Palgrave's accusations, and that within a very few days a *refutation* of them would be published; but he has nevertheless inserted many of those charges, though the *pages of his own Magazine* afford *evidence* of the want of *truth* of some of them;* and had not even the *candour* or *justice* to say that a reply was preparing! This course has however been adopted by every *other* periodical publication which has adverted to the controversy. He has even taken upon himself upon an *ex-parte* statement to observe, "Sorry are we to say that " Mr. Palgrave's pamphlet alludes to personal conduct on " the part of Mr. Nicolas, which in our opinion, can scarcely " be palliated." Of this treatment I certainly complain, and if folly justifies a remonstrance, I should also complain of such remarks as that I "wish to drive all before me," and that I have attempted to, "write down authors of established and just repute," one of the authors adverted to being Mr. Ellis, and the other (*risum teneatis*) *Mr. Nicholas Carlisle*!!! It is to be lamented that the reviewer did not include the name he has in another place the *modesty* to cite as one of those at whose works I have the presumption to sneer—*The Reverend Thomas Dudley Fosbrooke*, whom, with two or three others, he says, I consider as mere "collectors of pins, and "their works only as pincushions." The reviewer may be assured that I form no such *extravagant* estimate; nor do I, to use his own felicitous expression, fear that on *this subject* my "taste will be disputed by philosophers[!]" though "They "know that arts and sciences are both enlarged and eternized by archæological records; that retrogression in civil "benefits is thus rendered impracticable[!!!] and that even "the very follies of past ages deserve reminiscence, because "they are warnings!!!"

* See pages 128—130 ante.

APPENDIX.

CORRIGENDA.

The Letter to Mr. Palgrave, marked C., is erroneously stated not to have been printed in Mr. Palgrave's Pamphlet: It occurs, however, as a *note* to the copy of his Letter to the Speaker, marked No. XI.

Page 114, *for* "behave surreptitiously," *read* "act surreptitiously."

140, *for* "animated," *read* "actuated."

APPENDIX.

[The words printed in italics are underlined, those in small capitals are doubly, and those in capitals are trebly underscored in the originals.]

A.

MR. PALGRAVE TO MR. NICOLAS.

26, Duke Street, Westminster,
30th November, 1829.

My dear Sir,

I have to request that you will be so good as to inform me, by the Not printed by bearer, whether you are willing to come forward *openly, without dis-* Mr. Palgrave. *guise*, and in *your own proper person*, for the purpose of substantiating the censures and charges which you have preferred against me under cover of the Westminster Review.

I have the honor to remain,

Dear Sir,

Your most obedient and faithful Servant,
FRANCIS PALGRAVE.

B.

MR. PALGRAVE TO MR. NICOLAS.

26, Duke Street, Westminster,
1st December, 1829.

My dear Sir,

If you *are* the author of the criticism in the Westminster Review, are Not printed by you willing to come forward openly, and in your own name, before Mr. Palgrave. the Record Commissioners (or any other competent parties), for the purpose of sustaining your allegations, viz. that the "Parliamentary Writs" are imperfect, that they are superfluous, being only a reprint of Prynne and of the Lords' Appendix, and that I have received an extravagant compensation for my work.

If you are *not* the author, will you, as a gentleman well acquainted with Records and with inquiries relating to the Peerage and to Parliament, have the kindness to consider the evidence (not the arguments) which I shall adduce in reply to the allegations, and favour me with your opinion thereon.

I have the honor to remain,

Dear Sir,

Your most obedient and faithful Servant,
FRANCIS PALGRAVE.

C.

MR. NICOLAS TO MR. PALGRAVE.

23, Tavistock Place,
2nd Dec. 1829.

My dear Sir,
Not printed by I beg to apologize for being prevented from acknowledging the honor
Mr. Palgrave. of your second note until this morning.

If the Record Commissioners, or any persons authorized by the Government, do me the honor to ask my opinion on either of the publications by the Record Commission, I shall be most happy to express it. With respect to the new edition of the "Parliamentary Writs," my sentiments are precisely the same as those stated in the two articles in the "Westminster Review," to which you allude.

I have the honor to remain,

Dear Sir,

Your most obedient and faithful Servant,
NICHOLAS HARRIS NICOLAS.

D.

MR. PALGRAVE TO MR. NICOLAS.

Duke Street, Westminster,
2nd December, 1829.

My dear Sir,
Not printed by I am much obliged to you for your reply, which I shall communicate
Mr. Palgrave. to the Commissioners at their next board.

I remain, Dear Sir,

Your most obedient and humble Servant,
FRANCIS PALGRAVE.

E.

MR. PALGRAVE TO MR. NICOLAS.

Duke Street, Westminster,
3rd December, 1829.

My dear Sir,
Not printed by I apprehend that a Board will be held in the month of February
Mr. Palgrave. next.

You are of course fully aware that my application to you *is of my own seeking*, and that until the Commissioners shall have considered the letter, I cannot tell what course they will pursue.

I remain, Dear Sir,

Your most obedient and faithful Servant,
FRANCIS PALGRAVE.

F.

MR. PALGRAVE TO MR. NICOLAS.

Duke Street, Westminster,
22nd June, 1830.

My dear Sir,

As I cannot suppose that you would willingly refuse to allow your-
self to be set right in matters affecting the reputation of an individual
by whose labours you have profited, I hope you will take some oppor-
tunity of correcting the erroneous statements which you have made.

First, as to beginning with Edward I.

If you had been properly informed, you would have known that, *strictly speaking*, there is no series of *Parliamentary* Records anterior to that reign; and that the deficiency must be supplied from secondary sources. Upon these sources I have been employed, as you will see from the Returns, without intermission, but, owing to the great difficulty of the task, I have not yet accomplished it to my satisfaction; and if I had not published *something*, I should have been liable to reproach for my inactivity: Which is best, to give a portion *complete in itself*, and yet a *branch of the whole*, or to wait till half or three-fourths of one's life has elapsed? When you are older, you will find, as I have done, that human life is not long enough to wait for *perfection*. My materials for the history of the *ante* Parliamentary period, will, as to the reign of Richard I., be shortly ready for the press; and in spite of all your censures, I shall propose to print them, even though Henry II. may be undone. Simply *answer this* question, which serves YOUR PURPOSES BEST, a portion of matter given to you *in print*, or the whole in manuscript *waiting to be printed*? You say I have given only a bit of the work; it may be so; but cannot you make quite as much use of that bit, as if you had the whole? I gain time to complete the difficult parts, and you gain the use of what I have been able to complete. In all historical collections, the recent period is the easiest, and the most remote the most difficult; and by beginning with the easiest, you gain experience for the harder portions of the task.

As to the *republication* of the writs printed in the Lords' Appendix, I shall only ask you, whether it is possible to disjoin the Lords from the Commons? How could the writs of election for the Commons *make sense* without the writs of summons for the Peers; and, in the next place, I shall ask YOU, what you would have given for my digest at the time when you compiled your Synopsis, if you had had *that aid* instead of the *naked* Lords' Report. I repeat that I should have deserved well of the country if I had not given a line of new matter; and if I do take any merit to myself for my work, it is not for the *collection* (because that only requires patience and opportunity), but for the plans of the titles, abstracts, and digests, by which the whole substance of the books is made accessible to the English reader. Upon *that* I rely: and need I seek for a better proof than is found in those sheets of your Roll of Caerlaverock, which appeared *after* the publication of my work, when compared with those sheets which were published before it. What will you give me at this moment for accounts of the persons named in the Scrope and Grosvenor Roll,—similar to

Not printed by Mr. Palgrave. those slips which contain the matter relating to the Scropes? and which, I believe, were sent to you through our friend Gwilt? Besides which, I re-collated *all the matter published by the Lords*, and supplied all the dates;—no easy task, as you know. If Lord Redesdale had understood his plan, it would have been a very different production. But am I to be blamed because I have completed what others have done *badly and imperfectly*? Pray put the saddle on the right horse.

I have nearly six thousand *inedited* petitions from the reign of Edward I. to Edward IV. It is *impossible* to print them or to *make any use of them* without reprinting the Rolls, because they must be *interpolated* in every page. They were thrown aside by Astle and Topham, *who never collated a line of the edition with the record*. The present edition of the Rolls, as a book of authority, is *wholly worthless*: for instance, No. I. 273, for the petition of Joan de Benn, amerced as a Baroness, and upon which Lord R. made many remarks, who do you think she is? Why, Joan de Boun, or Bohun. And the book swarms with similar errors. But its absolute imperfection arising from the *want of matter* is equally great; and the inedited petitions, which you may see if you like, furnish a more ample share of information relating to individuals, high and low, gentle and simple, than can be derived from any other class of Records whatever. And I repeat my question: Can they be turned to any good account, except when united to the proceedings to which they belong, and from which they never ought to have been dissevered?

As to the remuneration which I have received, I shall only state, that it is for work *actually done and performed*, calculated upon a definite scale; and that *I have been paid at a much lower rate than any other person hitherto employed by the Record Commission*. All I have earned has been fairly earned, and I have always prepared myself for investigation upon that point. I have given up my time fully and fairly to the work, and without deriving any other profit from the Records *except what appears on the face of the returns*.

I must confess that your remarks gave me some vexation, particularly your silence as to the use of the digest. You are one of the very few persons who are competent to judge of the utility of the *tools* which I have provided for studious men; and I cannot think that it was quite fair in you to suppress the facts to which you could have borne witness, but to which you must bear witness in every work upon which you may be hereafter engaged. I know that, do what you will, you can never write on those subjects which engage so much of your attention *without filling your margins with references* to my compilations; and that is the best refutation of any accusation which you can prefer.

Yours most faithfully,

FRANCIS PALGRAVE.

G.

MR. PALGRAVE TO MR. NICOLAS.

Duke Street, Westminster,
22nd November, 1830.

Sir,

I am informed by Mr. H. Gurney that you are preparing a work relating to the Record Commission, in which you intend to repeat, as you have already done in various anonymous publications, that the new edition of the Rolls of Parliament, of which I am Editor, consists principally of a republication of old matter, and that I have received an unfair or extravagant remuneration for the same. Not printed by Mr. Palgrave.

You will recollect that in the month of June last I addressed a letter to you, requesting you in the event of your publishing any further remarks, to take an opportunity of inspecting the materials collected for my work. You did not return any answer in writing, but when I met you in the Berkeley Case at the House of Lords, you told me that you had not been able to avail yourself of the offer in consequence of the pressure of business, but that you would certainly do so.

I repeat the offer. The statements in your anonymous publications concerning me abound in errors, which I am willing to attribute to your want of acquaintance with the subject; and I will give you the means of removing such errors by ocular inspection and actual trial.

For these purposes I request that you will do me the honour of calling here—you may then examine such of the volumes of *inedited matter* as are bound and arranged—you may then proceed with me to the *Tower* or to the *Chapter House*, and by collation of the Records with me, you will ascertain the labour which I bestow; and you will then have the means of giving a fair and honest account of the work which you criticise.

I trust that you will be able to appoint Wednesday next for our interview.

I have the honor to remain,

Sir,

Your obedient and humble Servant,

FRANCIS PALGRAVE.

H.

MR. NICOLAS TO MR. PALGRAVE.

Tavistock Place,
22nd November, 1830.

Sir,

I have the honor to acknowledge your letter of this evening, and I beg to inform you that the information which Mr. Hudson Gurney gave you is correct, so far as relates to my intention of publishing remarks on the Record Commission. The title of the work in question is enclosed, and it will be published early next week. Not printed by Mr. Palgrave.

There is, I admit, an apparent want of courtesy in my not answering the letter which you wrote me in June last, and I will frankly tell you the reason. It came to my knowledge after I saw you in the House of Lords that the *private* letter in which I thanked you for the

Not printed by Mr. Palgrave. present of the first volume of the Parliamentary Writs had been shown to various persons, even *if it had not, as I have cause to believe, been printed*, with the view of convicting me of contradicting myself, inasmuch as that letter is written in the usual complimentary style on receiving a present, and perhaps does not exactly agree with criticisms written after a dispassionate examination of the volume. Under these circumstances I certainly did not think it prudent to continue a *private* correspondence; nor was I willing to enter into a *PERSONAL* controversy upon a subject which it was open to the whole world to canvass, namely the *public* conduct of a *public* officer.

There does not appear to me to be the slightest probability that by seeing your collections for the new edition of the *Rolls of Parliament* my opinion on the impropriety of reprinting them would be altered. But it unfortunately happens that my remarks on every thing in which you are concerned are *actually printed*, hence if my inspection of your collections would have been satisfactory to you, I can only regret that your wishes had not been expressed *sooner*. Your letter of the 22nd of June, in which you say you requested me "to take an opportunity of inspecting the materials collected for your works" is now before me, *but it does not contain* any such request. The only words which at all bear on the point, are in reference to the inedited Petitions, which you observe "you may see *if you like*," &c. In that letter it seemed to me that you said all which was possible in defence of the new edition of the *Rolls of Parliament*, and as I took care to read it with great attention before I alluded to the subject in my present work, I flatter myself that I have given to your remarks as much weight as they deserve.

I must, however, of course be responsible for the correctness of the statements which occur in that volume, but so far as regards expense they are founded upon the Parliamentary "*Returns*;" and figures speak facts. If unfortunately I have stated any thing which is not strictly true, I shall most deeply regret it, and I assure you on my honor that the mistakes, if any there be, are unintentional. But the more I have erred, the greater will be your triumph in detecting and exposing my blunders, for the press is as open to you as to me; and a defence of the Record Commission must do you credit in the estimation of the Commissioners. There will, I fear, be much in my work to displease you, since criticism does not appear to be acceptable to you; but if you find yourself more pointedly adverted to than others, remember that none of the Sub-commissioners has invited animadversions by an elaborate statement of his services in the "*Return*" in the way which you have done. I have, however, confined myself entirely to what appears in that "*Return*," and in your works, without even availing myself of the fair argument, as respects your remuneration, that your *whole time* cannot be given to the Commission, because, according to a Bookseller's Catalogue, you are writing two or more private works which require great labour and research, besides attending to your professional engagements; and I trust, therefore, that you will, once for all, credit my assurance that I am not actuated by personal feelings of disrespect or unkindness towards you individually.

I have the honor to remain,

Sir,

Your very obedient and humble Servant,

NICHOLAS HARRIS NICOLAS.

I.

MR. PALGRAVE TO MR. NICOLAS.

Duke Street,
23rd November, 1830.

Sir,

Your letter is not satisfactory. You promised to inspect my materials, and to honour me with an interview. I relied upon your promise, and, *addressing you as a gentleman*, I request it may be fulfilled. Not printed by Mr. Palgrave.

Your letters, though private, are only the echoes of the opinions professed by you in the article which you inserted in the *Retrospective Review*.

If you still decline the interview, I shall consider myself as justified in asserting, that you have no wish to correct your misrepresentations.

I remain, Sir,
Your obedient humble Servant,
FRANCIS PALGRAVE.

K.

MR. NICOLAS TO MR. PALGRAVE.

23, Tavistock Place,
23rd Nov. 1830.

Sir,

I regret that my letter of yesterday is not satisfactory to you: I have no recollection whatever of having *promised* to inspect the materials for your works, and you might have waited until you knew *what* I have said before you assume that I have made any misrepresentations in my present work. Not printed by Mr. Palgrave.

Without meaning any disrespect, I must be allowed to decline continuing a *private* correspondence with a gentleman whose opinion of the manner in which *private* letters should be used, differs so materially from my own.

As an individual employed and paid by the Government, it is fully competent to any one to criticise your labours, and to judge of the remuneration you receive for them from the "Parliamentary Returns," without having a *personal* discussion forced upon him; and the style and tone of your last letter do not induce me to think any benefit would arise from an interview. Doubtless your collections are voluminous, and I am aware they must require some labour and skill to form them, but I may still think they are not of sufficient importance to justify so heavy an expense to the country. It may also, I flatter myself, be permitted to me to disapprove of re-printing the Rolls of Parliament, and of having such masses of Digests, Abstracts, and Calendars, instead of employing the money and time in printing *Original* documents, with the common Indexes. If you think otherwise, you can state your reasons for deeming my opinion fallacious. From the style of your address, I do not feel myself called upon to enter at all

into explanation, but to convince you, I have no desire to misrepresent facts, I will send you to-morrow a copy of the sheets in which your labours are adverted to; and if in your *written* observations in reply, you convince me that I am in error as to any *FACT*, the part shall be cancelled; but this offer *does not* extend to the expression of any *opinion*, unless indeed your remarks prove its fallacy.

I have the honor to be, Sir,

Your obedient Servant,

NICHOLAS HARRIS NICOLAS.

L.

MR. PALGRAVE TO MR. NICOLAS.

26, Duke Street, Westminster,
24th November, 1830.

Sir,

This letter is
printed by Mr.
Palgrave.

I apprehend from your letters, that you do not seem aware of the situation in which we stand.

This is *not* a literary controversy, nor one which can be decided by an appeal to the Press. You begin by attacking me in anonymous publications—having done so, you address a private letter to the first Lord of the Treasury, virtually repeating your charges.—You then give private information to a member of Parliament (Mr. Protheroe) accusing me, in fact, of peculation; and at your suggestion, and under your direction he moves for certain returns. Upon these returns you renew your anonymous attacks; and then you ground, not an ordinary pamphlet, but a formal address to the “Secretary of State,” in which you stand forward as an accuser, stating matters, which, as I collect from your letters, are intended to show that I, as a government contractor, have received more than my due, and that I have also defrauded the public by palming upon them a publication destitute of utility.

Now it is utterly impossible for you or any man to judge of the expediency of publishing matter of which he has never seen a line. Neither can you, who are not acquainted with the *state of the Parliamentary Petitions and Writs* have any idea of the study and labour which is required for deciphering and explaining them. Yet you, knowing nothing of the matter, are about to tell the Secretary of State that a person who has been employed for ten years upon records, of which not one has ever been inspected by you, has been wasting his time, and has been overpaid for his labour; and professing to favour the public with a work on the present state of historical knowledge in England, you refuse to take the trouble to inspect the largest collection of documents relating to the history of the constitution which has yet been formed.

You are not in a condition at present to make any remarks whatever upon my labour, because you do not know of what it consists, nor can you, unless you try the work yourself, understand the nature of the toil for which I have received payment.

If you had *criticised* my work in the ordinary way, I should not have applied to you; but you have taken a very different ground—you are not a critic, but a prosecutor.

With regard to your *private* letters you will recollect that you now

come forward in public, not as a mere literary critic, but as one who is This letter is endeavouring in every way to destroy the professional character of a person printed by Mr. engaged in the same pursuits as yourself: I therefore am entitled to Palgrave. use them in self-defence. Let me also tell you that they are not complimentary letters of an ordinary kind; you were then engaged on the Roll of Caerlaverock. Whilst so employed you receive my book, you find that the digests, which you now say are useless, are of the greatest assistance to you: you honestly tell me so. You enter into details (as appears from the subjoined extract) not in the language of "compliment," but of a clever workman, who, upon receiving a new machine, finds that it works better than any tools which he ever employed before.* Besides which you have given specimens, in your Retrospective Review, of the digest, with peculiar observations as to its utility with respect to the puzzling name of Deyncourt, contrasting it with the arrangement of ordinary indexes. Furthermore, you know, or ought to know, that the statutes have always been published with a translation, that not one person in fifty can understand a record printed with contractions, and that, for the purpose of promoting "historical knowledge" no expense is thrown away which renders the text accessible to ordinary readers. I therefore do assert that any doubt which you may throw upon the utility of the digests, &c. is not the result of deliberate and dispassionate judgment, but of a deliberate endeavour to hurt the reputation of the author, and to bring him into disrepute with his employers. Excuse me if I have been betrayed into any language approaching to warmth.

I return you thanks for your proposal concerning the sheets; but circumstanced as I am I might compromise my employers by inspecting them; I therefore decline the offer.† All I propose to do is, to give you the means of forming a correct opinion (for what you call facts receive their colouring from opinion), and for that purpose I now again renew my offer requesting you to honor me with an interview as originally proposed. Let Mr. Gwilt or any other friend accompany you. Mr. H. Gurney will attend on my behalf; and with the materials before us, you can have all explanations which may be needed, but the evidence must be stated upon your own responsibility, and I will not look at it.

Before I conclude, I cannot help remarking how little pains you take to understand the facts before you. You cavil at my expressions with respect to the employment of my time—any person, reading the report with candour and attention,‡ would have seen that it had reference to the time ordinarily employed in business. In no office is attendance given for more than six hours per diem. And since my employment I have never desisted from work, for any one week, in the

* In the copy of this letter printed by Mr. Palgrave, (marked No. IX. in his Appendix), the words "I therefore shall quote your opinions against yourself" here occur, which are not in the original.

† The words, "I therefore decline the offer," do not occur in the copy printed by Mr. Palgrave.

‡ This passage stands thus in the copy printed by Mr. Palgrave, "any person reading the return with attention," &c.

course of the year—and have also employed myself on *the average* at the rate of eight hours per diem upon the publications of the Commission—and you can but remove such misapprehensions by printing the whole of my return *with the explanatory statement*.

I have the honor to remain,

Sir,

Your obedient and humble Servant,
FRANCIS PALGRAVE.

I add such parts of my address to the Commissioners as relate to your remarks in the Westminster Review.*

(“ Extract from Mr. Nicolas’s Letter to Mr. Palgrave, of February, 1828.”)

The following extract was enclosed in the preceding letter, together with a copy (partly in print and partly in manuscript) of Mr. Palgrave’s letter to the Speaker, marked No. XI. in his Appendix, *excepting however the last three paragraphs*, which paragraphs are in this Appendix reprinted, and are marked V.

“ You have, I hope, by this time, received a copy of Caerlaverock, which you will perhaps deem to be a trifling return for your invaluable collection of Parliamentary Writs. The margin will prove to you the use I have made of this work : but many of the memoirs were written before I received it ; and the labour which they occasioned will be understood by you, when you remember, that the Appendix to the Peerage Reports has no index, and consequently that *every list* was perused for every individual. This, too, happened in the ‘ Synopsis,’ and I mention it to convince you of the importance of your most laborious work.”

M.

MR. NICOLAS TO MR. PALGRAVE.

Tavistock Place,
24th November, 1830.

Not printed by
Mr. Palgrave.

Sir,

I have the honor to acknowledge your communication of this evening.

You seem to have so completely mistaken the view which I take of your works, and the motives by which I am actuated, that I really fear no useful result can arise from prolonging this correspondence. I offered you the means of correcting any error into which I may have fallen by reading the sheets of the volume in which you are adverted to in an unpublished state. This you decline, but press on me to inspect your collections, of the nature and extent of which I am well aware, because you have particularly described them in the “Parliamentary Returns.” Under these circumstances, I know not exactly what I

* This postscript *does not occur* in the copy printed by Mr. Palgrave.

can do, with *propriety*, to satisfy you. I am morally certain that an interview will not alter my opinion as to the amount of remuneration which *any* Sub Commissioner *ought* to receive, supposing that six hours *per diem* and the highest talents were bestowed on any work undertaken by the Commission. Now, as I have always admitted your talents and zeal, and do not deny that you have given that number of hours daily to your duties, what effect can your shewing me the collections which have been formed by the exertion of those talents, zeal, and labour, have upon my opinion of the remuneration which you ought to receive?

Not printed by
Mr. Palgrave.

By refusing my offer to peruse the sheets of my work in an unpublished state, you wilfully keep yourself in ignorance of my opinions, and yet argue as if you were perfectly acquainted with them; whereas, in all you say about my denying that the Parliamentary Petitions should be printed, about my thinking your works destitute of merit, that the Digests, &c. "are useless," and still more, that I have in any way attempted to detract from your professional reputation, you are entirely mistaken. The direct contrary is the fact, and to prove to you that I have no desire to misrepresent you, I have printed the greater part of your observations in the "Parliamentary Return" in my present work.

My *opinions* remain unaltered on the points before adverted to, and particularly with respect to your printing my *private* letters; but your last communication was written in the style in which a controversy ought to be conducted between gentlemen, and I therefore retract the resolution I formed on receiving your message through Mr. Gwilt, not to have any further intercourse with a person who suffered his temper to overcome his discretion. I have no desire to irritate or offend you, far from it, but you can easily believe I will not be treated with rudeness. Before, however, I finally decide upon the course which I shall adopt, in consequence of your letters, I must insist upon being favored with AN ENTIRE COPY of the letter dated the 31st December, 1829, and addressed to "The Official President of the Board of Commissioners;" together with a copy of all other papers or remarks submitted by you in which I am in any way ALLUDED TO.

This request proceeds from the conviction that what you have sent me is a partial extract, and I have a right to be put in possession of a *perfect copy* of any document relating to me which you may have *privately* printed, before I enter into any discussion on the subjects referred to in it.

Upon complying with this demand depends whether our correspondence does not close with this letter.

I have the honor to be, Sir,

Your very obedient and humble Servant,
NICHOLAS HARRIS NICOLAS.

N.

MR. PALGRAVE TO MR. NICOLAS.

Duke Street, Westminster,
25th November, 1830.

Sir,

I do not consider myself as authorized to make any further communication whatever concerning any papers which I may or may not have laid before the Record Board.

The word *professional*, as used by me, is ambiguous; I mean it in relation to my employment under the Record Commission.

With respect to your letters, you will allow me to observe, that I preserved them, at the time, as pleasing and important testimonies, proceeding from a gentleman well versed in inquiries relative to the Peerage, and as such evidence I shall use them, whenever any needful occasion shall arise, and more particularly one, in which you give a very deliberate opinion (now, I presume, changed) as to the standard by which my labours ought to be valued.

I have the honor to remain,

Sir,

Your obedient and very humble Servant,
FRANCIS PALGRAVE.

You seem to have read six instead of eight, as to my average time of employment.

O.

MR. PROTHEROE TO MR. NICOLAS.

Great Gaddesden,
Jan. 17, 1831.

My dear Sir,

I have read Mr. Palgrave's pamphlet, and I assure you that I most willingly accede to your request that I would give you, as a note to any answer you may write, such an explanation of your communications with me on the subject of the Record Commission as will shew their real character: at the same time, I trust I shall entirely remove the unfavorable impression which Mr. Palgrave's representation of them may create.

Allow me first to say that I deeply regret that a gentleman of such high literary character, and one moreover to whose abilities as an historical antiquary you have always borne the fullest and most consistent testimony, should even in an unguarded moment, as I will hope it has been, have written a reply to a part of your Observations on the Record Commission with feelings of irritation, which have it appears led him to conceive, most erroneously, that the object of your book, and even of a motion for some Returns to Parliament was an attack upon him. Although I am not called on to offer any general observations on this pamphlet, I cannot refrain from saying, that I think Mr. Palgrave misapprehends your arguments. To me Mr. Nicolas of 1827 is easily reconcileable with Mr. Nicolas of 1830.

To effect this reconciliation however is your business; but I may be allowed to remark, that in the first year I see the zealous antiquary hailing with delight the production of the ablest work yet executed under the Record Commission: in the latter year the same person and the same mind appears, but now furnished with information hitherto unpossessed, of the cost of the admired work. He is ready to forego in future publications the convenience he so much prizes in the present; and true to his object of obtaining the utmost possible quantity of information, he desires rather a greater portion of original documents without complete indexes, than the smaller portion with the most perfect digests. Such is the result to my mind of a comparison of your language at different periods; and it is corroborated by my recollection of your language to me on different occasions.

You are aware, and so is Mr. Palgrave, that I have never given any very attentive consideration to the points in dispute between you. My attention has rather been directed, after obtaining accurate Returns of the general expenditure of the Commission, to those more palpable cases of mismanagement and extravagance which I perceive in other parts of their proceedings, and not to an investigation of the relative utility of particular parts of one publication, or to the decision of the due balance of literary labour and reward. Although Mr. Palgrave did me the honour last month to ask me for my opinion on the several parts of his work, and my general opinion of the whole of the Writs, with reference to your remarks on them, I acknowledged with unfeigned diffidence that I did not consider myself competent to arbitrate between two such able literary workmen.

Your controversy seems to me to turn on, *First*, the fact of part of the Parliamentary Writs having been published previously; *Secondly*, on the accuracy or inaccuracy, and the consequent adequacy or inadequacy of such publications; *Thirdly*, on the utility of the Digest and elaborate Indexes, which you have lately discovered are compiled at great cost of money and of time. In your *Observations*, which refer to these points, you seem influenced alone by considerations of the shortness of life, and the limited extent of the funds of the Commission, as contrasted with the enormous mass of unpublished documents. *Fourthly*, On the economy in the remuneration of literary labour due to the country in the present state of its finances.

I had hoped on this head to have collected some valuable information from Mr. Palgrave's pamphlet, but he has not I think entered into any satisfactory details. I feel that I owe you some apologies for having thus indulged in general criticisms of a pamphlet I am not asked to review; but such observations are not irrelevant to those passages which it is incumbent on me to notice.

It was with great surprise, but I declare it without the slightest feeling of hostility, that I found my name mentioned by Mr. Palgrave. You will learn with astonishment, that in the letter to which I have alluded, and which was of the date of the 19th of last month, Mr. Palgrave never even hinted to me that he was engaged in a reply to your book, nor ever expressed an intention of introducing my name. I regret he should have omitted this *usual* act of courtesy, since it has caused him to publish his misapprehension of some facts that are important in his controversy with you. Mr. Palgrave (at p. 16) appears to mention your application to me in a manner likely to lead his readers to infer, that you had selected me, out of other members then

unknown to you, as a person to whom you might make some ill-natured representations against him. Now, whenever you have mentioned Mr. Palgrave or his works to me, you have done so in the course of a general conversation on the proceedings of the Record Commission; you were at the time of the communications to which he alludes aware that I had long interested myself in the proceedings of the Commission; and further than this, I am a friend of yours, and happy I am in having this opportunity of saying I have long been so honoured.

What Mr. Palgrave means to imply by the word "information," with inverted commas, I cannot guess; but I suppose he suspects some communication of an ill-natured character. Now I can assure him, and I declare it without hesitation, that your remarks to me on his works were on all occasions fair criticisms of them, founded on their relative importance to the expense which they cost the country, and therefore you did not shew me that you acted as a "personal adversary." Indeed, in your conversation with me, you have always made a marked distinction between your sentiments on the propriety of his remuneration and your opinions of him as an historical antiquary; for you generally observed, "I always allow Mr. Palgrave's merits: it is the cost of his work of which I complain."

I know not whether a passage in a letter in the Appendix be not intended as a rebuke to me for having had the temerity to bring to light the expenditure of the Commission; but Mr. Palgrave is incorrect in saying that I moved for those Returns at your suggestion, and under your direction. It is quite true you either expressed a wish for such information, or approved of my intentions when told of them, but the desire on my part was, I imagine, prior to my reading even the "Retrospective Review:" this, however, is trifling. I shall be very happy to receive your suggestions, and even act under your directions at all times that I consider your opinion deserving attention. The wording of the Returns was my own, aided by another Member, a shrewder detector of abuses even than you are; and I moved for them because I think every item in the expenditure of public money ought to be known: in this case there was a total want of information as to the appropriation of large annual grants for thirty years.

If there be any one who is not satisfied of the propriety of bringing this expenditure under public notice after reading either your late work, or looking over the Returns, I trust you will, in an Appendix to any thing you may now be writing, give full extracts from the Returns last made, and which, under the impression that the parties interested in making these calculations would have easy access to them, were not printed.

One word more, and I have done. Allow me publicly to return you my thanks for your late able publication, which has excited this reply. Of course you expected attack. It is the natural, though certainly not the just return, made to those who strenuously expose abuses. If you have not at present the thanks of those literary men who suffer from the privation of access to these documents, which you argue should be freely laid open to them, future statesmen as well as historians will remember your exertions with gratitude.

I remain, my dear Sir,

Most faithfully yours,

EDWARD PROTHEROE, Jun.

P.

MR. GWILT TO MR. PALGRAVE.

20, Abingdon Street,
24th November, 1830.

Dear Sir,

I have, in compliance with your wish, seen Mr. Nicolas, who thinks it unnecessary to examine the documents you wish to lay before him. I understand that he has written you a second letter, and an offer of perusing the sheets. I really think his conduct in that respect is liberal and candid; however, be that as it may, I must decline all further interference between yourself and him; in any thing else you may command the services of

Yours very truly,
JOSEPH GWILT.

FRANCIS PALGRAVE, Esq.

P. S. I do not recollect my advising Mr. Nicolas, as stated by you at page 33, nor do I believe I did so, or stated to any one I did so, more than that I underscored the letter, which I clearly did not.

Q.

MR. GWILT TO MR. PALGRAVE.

20, Abingdon Street,
10th January, 1831.

Sir,

My attention has been just drawn to a pamphlet, bearing your name, published by Hatchard and Son, 1831, and entitled "Remarks," &c. You have therein printed a letter bearing my signature, without the courtesy ordinary on such occasions. Of this I do not complain; but, Sir, I do complain that you have not printed my letter as you received it from me, and that if the part thereof printed by you in Italics and Roman capitals is in the original underscored as you have printed it, that underscoring has been done since the letter (whereof I fortunately preserved an accurate copy) came into your possession, and is calculated grossly to mislead. I shall forthwith inform Mr. Nicolas of this matter, and after such conduct decline all further intercourse with you, by letter or otherwise.

I remain,
Yours, &c.
JOSEPH GWILT.

R.

MR. GWILT'S STATEMENT RELATIVE TO MR. PALGRAVE'S
INTERVIEW WITH HIM.

On the morning of the 24th of November, 1830, Mr. Palgrave called on me, and was then labouring under symptoms of strong excitement. He complained in bitter terms of Mr. Nicolas's conduct towards him as connected with the Record Commission, and requested me, as a mutual friend, to see that gentleman without delay, and solicit him to visit Mr. Palgrave to examine the materials collected for his works, in the presence of Mr. Hudson Gurney and myself. Mr. Palgrave ended the interview, which was short, by saying, that if Mr. Nicolas declined the visit, he would go down to the Society of Antiquaries, on the evening of Thursday (25th), and proclaim there, as publicly as he could, that Mr. Nicolas was a person who wrote at random, and without satisfying himself on the correctness of the statements he published, or words to that effect. He then left my house; and within three hours after the interview, I saw Mr. Nicolas, who explained to me his reasons for declining the visit to Mr. Palgrave, in which I concurred, and my letter bearing the above date, *but not as published by Mr. Palgrave*, was the result.

JOSEPH GWILT.

13th January, 1831.

S.

MR. NICOLAS TO THE SPEAKER.

23, Tavistock Place,
January 11, 1831.

Sir,

It is with great regret I find myself under the necessity of troubling you upon a subject of a personal nature.

In reply to my work, "On the Present State of Historical Literature," Mr. Palgrave has printed a pamphlet, in which he alludes to the negotiation with the Baron de Joursanvault, of Beaume, for the purchase of his manuscripts, and observes, "Mr. Nicolas was extremely anxious to be employed in the mission, and pushed himself forward by personal application to the Speaker for that purpose. "The proffered aid of Mr. Nicolas was rejected." As I am about to answer Mr. Palgrave's work, I take the liberty, from a full reliance on your courtesy and candour, to ask you, whether this account of the interview with which you honored me on the subject be a *correct* one?

It may, Sir, be in your recollection that I first brought these MSS. to your notice; that I was most anxious they should be bought by the Museum; that you promised to speak to the Archbishop of Canterbury, and that, on leaving you, I observed, in case the expense of paying a person to go to Beaume to examine the manuscripts should be made

an objection, I would willingly undertake the journey in the vacation, upon the payment of my travelling expenses. But so far from "my proffered aid being rejected," you must be aware that I was never favoured with any farther communication from you or the Trustees of the Museum on the subject; and I certainly am unconscious of having evinced any desire to be employed on the occasion, or of having manifested any other feeling than that of anxiety for the acquisition of valuable historical materials.

I beg to offer my best apologies for this intrusion, and, with the highest respect,

I have the honor to be,

Sir,

Your most obedient and very faithful Servant,
NICHOLAS HARRIS NICOLAS.

To the Right Honourable the Speaker,
&c. &c.

T.

OBSERVATIONS ON THE "PARLIAMENTARY WRITS" AND THE "ROLLS OF PARLIAMENT" IN THE "WESTMINSTER REVIEW," FOR APRIL AND OCTOBER, 1829.

Westminster Review, April, 1829.

"One more specimen of the abuses which attend printing Records is all for which we can now find room. Our readers know that the Rolls of Parliament form six folio volumes, and they cannot but be sensible how desirable it is that a complete Index to them should be published. This was so obvious, that an Index was ordered to be made about the year 1767, from which time to the present, embracing the trifling period of *sixty-two* years, it has been "in hand," but up to this hour it is not completed.

"Having noticed the worst of the works printed by the Commission, we must say a few words on the best—the Statutes of the Realm, and the Parliamentary Writs—but neither of which are perfect. The Statutes of the Realm ought to have contained the *private* statutes down to the reign of Charles II., when they cease to be useful as illustrations of history; and the Parliamentary Writs are imperfect from a most extraordinary cause, namely, that they commence with the reign of Edward the First, instead of with the earliest that are preserved. Why the preceding ones were omitted, it would require the genius of a sub-commissioner of the Record Commission to explain, and to them or to the commissioners themselves we must leave it to justify so culpable, we may even say, so absurd, an omission."

"The printer's bills amount, within the three years, to 13,152*l.* 3*s.* 4*d.*, of which sum no less than 3,877*l.* 3*s.* 9*d.* is for printing the "Parliamentary Writs," a volume of 1150 pages; and supposing the transcription was paid for on the average of the other works, that solitary volume cannot have cost the country less than between *five and six thousand pounds*. But what will our readers say when they learn that more than two-thirds of this very volume has been before printed at the public expense, either in the Rolls of Parliament, or in the Appen-

dix to the Reports of the Lords Committees on the dignity of a Peer of the Realm, and that most of what does not occur in those works may be found in Prynne's "Kalendar of Parliamentary Writs."

Westminster Review, October, 1829.

"The Rolls of Parliament, our readers know, were published in six folio volumes, by the government, some years since, and it has not been proved that they are so imperfectly done as to require a new edition. That one is in progress is nevertheless certain, and the price at which the country will purchase it, is sufficient to astound those who are aware how ill literary labours are generally rewarded, even when they are of a higher rank than the mere printing verbatim et literatim various Records, and making indexes to them. We learn from this parliamentary return, that from March, 1825, to March, 1828,—three years only,—a gentleman has received the sum of 5,231*l.* 16*s.* for "collecting materials for a new edition of the Rolls of Parliament;" and at this moment another person is actually employed by the Record Commission in completing the index to the *old edition*! Of this sum, 1500*l.*, or 500*l.* per annum is for the learned editor's salary; the remaining part being for transcribing records, making the indexes, and compiling the digest and abstracts, so that what is usually considered an editor's duty, and for which it might be presumed he received his salary, are all paid for separately!

"In these three years one volume, entitled "Parliamentary Writs" has appeared, which, as we have already said, is very well edited, but which is remarkable for the absurdity of being commenced with the reign of Edward the First, instead of with the earliest materials for Parliamentary History extant. This volume cost in printing 3,877*l.* 3*s.* 9*d.*, and when we repeat that the far greater part has been printed before, either in the Rolls of Parliament, or in the Appendix to the Reports of the Lords Committees on the dignity of a Peer of the Realm, and that considerable sums are still disbursed in completing the Index to the old edition of the Rolls of Parliament, which has been in progress for sixty-two years, we think we are entitled to assume that the public money voted to the Record Commission is injudiciously expended."

U.

PASSAGES IN THE "RETROSPECTIVE REVIEW" FOR OCTOBER, 1827, RELATIVE TO THE "PARLIAMENTARY WRITS" AND THE RECORD COMMISSION, WHICH ARE NOT CITED BY MR. PALGRAVE.

"We cannot conclude this subject without alluding to the numerous times great part of the contents of the volume before us has been printed at the charge of the public; and consequently of the waste of money which ought to be most judiciously expended, so as to accomplish all that remains to be done. Nothing can be farther from our thoughts than to wish to cramp the powers of the Record Commission by pecuniary considerations: on the contrary, the object is one of such national importance, that if more funds be wanted, we should strongly recommend an application for increased resources, which there can

be little doubt would be cheerfully granted, even by those who most vigilantly watch the public expenditure. But it is little short of a profligate waste of money to print the same documents two, three, or, in one case, even five times,* simply because they have been wanted by different departments, or because they were in the first instance so disgracefully edited as to be useless. The collection of the parliamentary writs before us is the only place in which those records should have appeared; and we sincerely hope that the series of parliamentary documents which the Commission have so wisely resolved to publish may be completed; but we wholly disapprove of an editor's fixing upon any period as that with which they should commence. We object in the strongest manner to any public officer, acting under a Royal Commission, being allowed, in a work of this nature, to fix upon any particular era as that when "the legislative and remedial assemblies of England first assumed a definite organization," or to assert dogmatically, that before the commencement of the reign of Edward the First, "neither the principles nor the practice of the constitution can be ascertained," and to confine all means of inquiry to the time when *he* deems that the parliamentary records become important. It may be his opinion, and one which, in a private work, he would be fully justified in expressing or acting upon, that it is in vain to inquire into the constitution of the legislative assemblies of this country before the time he has named; but we deny the right of any public officer, and even of the Commission itself, to act upon so uncertain an hypothesis. It is its province to publish records which throw light upon our early history; and not, by adopting any theory, prevent the world from obtaining information, which it was the express object of the Commission to afford.

"Whether Mr. Palgrave be right or wrong in his opinion, that until

* "The Letter from the Barons to Pope Boniface VIII., in February, 1301, relative to his Claim to the Kingdom of Scotland. It was printed, though most inaccurately, in the new edition of the "*Fœdera*" in 1818; again in the Appendix to the First and Second Peerage Reports in 1820; again from both copies to the Appendix to the Fourth Peerage Report in 1825; and now among the Parliamentary Writs in August, 1827!

"We are aware that the Record Commission and the Lords' Committees have nothing to do with each other; and that whatever may be printed by the latter is supposed to be only for the use of the members of the House of Lords, and is paid for out the grants for the session. Still, as the funds for that purpose are also derived from the public purse, it may be supposed, without compromising their lordship's dignity, that the labours of the Record Commission, by a little foresight, could have been rendered available for the purposes of the House. The Appendix to the Reports of the Lords' Committees, which contains the parliamentary and other writs from the 6th John to the 20th Edward II., was ordered to be printed on the 25th of May, 1820, but it did not appear, we believe, until after the resolution of the Record Commission to print all parliamentary instruments, in April, 1822; whilst the second part, which consists of similar documents, from the 1st Edward III. to the end of the reign of Edward IV. was not printed until about two years since."

the reign of Edward the First, "neither the principles nor the practice of the constitution can be ascertained," is not the object of our present inquiry. We merely protest against any individual having the power to withhold records in such a collection, which might induce others to draw a very different conclusion; and we fearlessly assert, that it was the obvious duty of the Record Commission not to have listened to the theory of any man, or body of men, on so highly important a subject; but to have printed every document which exists, connected with the legislative assemblies of the realm before the reign of Edward the First, as well as those subsequent to that epoch.

"A very large proportion of the Parliamentary Writs, as well as of those for military service, which are inserted in this volume, were printed in the new edition of the "*Fœdera*" in 1816 and 1821; and a still greater number of them were again printed in the "Appendix, No. 1, to the Report on the Dignity of a Peer of the Realm, pursuant to an Order of the Lords' Committee of the 25th of May, 1820." The present volume consequently contains every writ printed by the Lords' Committees relating to the reign of Edward the First; and the plan of Mr. Palgrave's labours will necessarily require that, with the exception of a dozen instruments, every line printed by order of their lordships in the Appendix to their Reports, and which consists of two folio volumes, containing altogether above one thousand closely printed pages, must be again republished at the expense of the nation.

"At a time when so much remains to be done for the publication and better preservation of the muniments of the kingdom, and when the funds at the disposal of the Record Commission are said to be inadequate to the purpose for which they were destined, it does seem monstrous that so little care should have been taken to prevent such a waste of the public money. Their lordships have wisely printed several writs from the time of John, which we presume are the earliest that are preserved; but we repeat, that as it was deemed expedient to form a complete series of these documents from the accession of Edward the First, even with the certainty of reprinting one thousand folio pages, those before that era, as well as every other instrument connected with the subject, should also have been included. Without them the object which can alone justify the reprinting of the others is not attained, for they are not a perfect collection. It is yet possible to supply this extraordinary and culpable omission, by considering the present the second volume instead of the first; and which, we believe, will only require that the title page and preface should be cancelled.

"As we are most anxious not to be misunderstood in our remarks on the publication of parliamentary documents, to avoid the possibility of mistake, we will briefly state the purport of them. Nothing can be more proper than that a *perfect* series of the parliamentary records of the kingdom should be printed; nor could a more qualified person be chosen than Mr. Palgrave; or a better plan than his have been devised; hence we earnestly hope that every possible facility will be afforded him in completing the laborious task he has undertaken. But, on the other hand, the public expect that the utmost attention will be paid to the manner in which the documents are printed; that as much information as possible, without swelling the work to an inordinate extent, may be abstracted; that neither the theory nor the interests of individuals may be allowed to prevent the

insertion of records of any particular period or subject, more especially in relation to the constitutional history of the country; that great caution be used when it is proposed to print either the calendars to particular records, or the records themselves, that a proper plan be first formed; and that in no case such an absurdity be again committed, as the printing twice or thrice within a few years, documents which should be printed once and no more; but which, when published, ought to appear in the most luminous, accurate, and satisfactory manner.

"It is obvious that this and the former volumes, relating to the proceedings in the Court and Duchy of Lancaster, contain much information of considerable value to those interested in that county, and occasionally also of a more general nature; but it is questionable whether the publication of these calendars should not have been postponed until records of a more important description had been printed. Few people, comparatively speaking, have occasion to consult the muniments of that duchy, whilst scarcely an historical research can be made without requiring a reference to the Patent Rolls, and Fine Rolls, &c. and still more frequently to the Rolls of Parliament. To the present edition of the latter, an index is now printing, and which ought long since to have been completed; but however valuable that index may be, and we are fully impressed with its utility, we presume that both it and the printed Rolls themselves will be wholly superseded by the publication of the parliamentary documents ordered to be printed by the resolution of the Record Commission on the 22nd of April, 1822; and thus another memorable instance will occur of time, labour, and expense being thrown away. Preparations are, we understand, making for a third specimen of this profligate expenditure, by the publication of a new Calendar to, or we hope, rather abstracts of, the Patent Rolls. We fully admit the necessity of these works; and we only refer to these unfortunate facts to induce the Commission to profit by the past, and to take care that similar failures do not happen in future. Whilst alluding to the Patent Rolls, we shall take the liberty of impressing on the Commission, that by giving as full an abstract as possible of the contents of those instruments, their publication will be quadrupled in value, though it is not impossible that the fees of the keepers of them may be lessened. The Calendar to the "*Inquisitiones Post Mortem*" is an example of the omissions which we deplore; for if the name and age of the heir had always been stated, with the manner in which he was related to the deceased, and which would not have added one hundred pages to the volumes, their utility would have been increased tenfold; to say nothing of the errors into which the public are led by finding entries introduced of Inquisitions which were not Inquisitions "*Post Mortem*."

"From these specimens, some of which are very curious, we are induced to inquire why the whole, or, if they are very voluminous, why abstracts of them have not been printed? or, if even this was impracticable, why this calendar has not commenced with them? There can be no sufficient cause for fixing upon the accession of Elizabeth, and leaving those of former reigns unnoticed: on the contrary, there are stronger reasons for giving those of earlier than of later periods, since much more elucidation is required of the state of society, the manners of the times, family and personal history, and

the descent of property, in the period which, with a happy facility in blundering, the Commission has passed over, than of that to which these calendars refer. Is it not possible, we respectfully ask, to act upon a decided and regular method, instead of the half measures which are adopted? If records are to be printed or calendared, would not common sense suggest that they should begin with the beginning? But no!—this would be too close an imitation of the conduct of ordinary mortals; hence, we have now volume the first, and by and by volume the second, of what ought to have been the two last volumes of the series. In a few years, perhaps, a ray of light will break in upon the Commission: it may then be discovered that piecemeal operations are not consistent with the objects of such an institution; and we shall probably have the entire contents of this volume reprinted with some slight variations, as part of a perfect collection. If we are suspected of entertaining idle fears, our answer is, we have proved that such has more than once been the case.

“That the petitions in question should, under any circumstances, be neglected by a Commission established for the publication of records that elucidate the history of this country, would be sufficient matter of astonishment; but that a calendar should be ordered to be made of one part of the series to the entire omission of what, we contend, are the most useful and important, really seems to be an act of wilful absurdity which could only be exceeded by an attempt to justify or explain it. The truth however, is, that the Commissioners, and it is the fault of all similar institutions that emanate from the Crown, are men of high rank, who, being fully engaged on more important official duties, are obliged to act upon suggestions, the merits of which they have neither the necessary information, nor the time to investigate. Of the gross folly of many of those propositions; and still more, of the culpable manner in which even bad plans have been executed, we have, we think, presented ample specimens for one article on the subject.

V.

PASSAGES IN MR. PALGRAVE'S LETTER TO THE SPEAKER AS OFFICIAL PRESIDENT OF THE BOARD OF COMMISSIONERS ON THE PUBLIC RECORDS, DATED 31ST DECEMBER, 1829, WHICH HE WITHHELD FROM MR. NICOLAS, ON SENDING HIM A COPY OF THE OTHER PARTS OF THAT LETTER, ON THE 24TH NOVEMBER, 1830.

“As to the remuneration which the Board has been pleased to assign to me, it has been in proportion to the work actually done and performed; and, comparing *bulk with bulk*, and volume with volume, you will find that the Parliamentary Writs have been rated at a lower standard than what has been usually paid by the public for other similar publications. Every sheet has been collated by myself with the original documents; and I have had no assistance in the work, excepting from copying clerks under my immediate direction. And the sums voted to me include the salary of such clerks and all incidental expenses.

“Considering myself, as I have before observed, not as an author, but as a *Government contractor*, publicly accused of malversation, I felt

it necessary to ascertain, if possible, from whom the accusations proceeded. Internal evidence, sufficiently strong to afford moral though not legal proof, having pointed out a particular gentleman as the author, I applied to this gentleman accordingly, to ascertain whether he was willing to acknowledge the authorship; the result has been the answer hereto subjoined.*

"I cannot presume to suggest to the Board what course should be pursued. I shall simply state that I am extremely anxious to submit to any mode of investigation which may be deemed advisable or satisfactory, either by the Commissioners or by any department of His Majesty's Government whom it may concern, requesting only that I may be personally confronted with any individual who may appear in the character of an accuser."

W.

PAYMENTS STATED TO HAVE BEEN MADE TO
MR. FRANCIS PALGRAVE.

BETWEEN MARCH, 1822, AND JANUARY 6TH, 1829, *i. e.* SIX YEARS AND
NINE MONTHS, IN THE RETURN TO PARLIAMENT, WHICH WAS
ORDERED TO BE PRINTED ON THE 29TH OF APRIL, 1830.

"ROLLS OF PARLIAMENT—MR. PALGRAVE EDITOR.

	£.	s.	d.
March, 1822, to March, 1824.—General and particular superintendence throughout the work: two years Salary, at 500 <i>l.</i> per annum	1,000	0	0
Making Transcripts of Records, including 6 <i>l.</i> 8 <i>s.</i> for small expenses in portfolios, &c.	583	18	0
Ditto, Salary	500	0	0
March, 1824, to March, 1825.—Making Transcripts of Records, including 17 <i>l.</i> 10 <i>s.</i> for paper, portfolios, &c.	700	0	0
Carried forward	£2,783	18	0

* "My dear Sir,

Tavistock Place, 2d Dec. 1829.

"I beg to apologise for not acknowledging the receipt of your second note until this morning. If the Record Commissioners, or any persons authorized by the Government, do me the honour to ask my opinion on either of the publications by the Record Commission, I shall be most happy to express it. With respect to the New Edition of the Parliamentary Writs, my sentiments are precisely the same as those stated in the two articles in the Westminster Review, to which you allude.

"I have the honor to remain, &c.

"NICHAS HARRIS NICOLAS."

Francis Palgrave, Esq.

	£.	s.	d.
Brought over	2,783	18	0
Ditto, Salary	500	0	0
March, 1825, to March, 1826.—Making Transcripts of Records and other disbursements	847	6	11
Corrections in the press, 103 sheets	108	3	0
Ditto, Salary	500	0	0
March, 1826, to March, 1827.—Making Transcripts of Records	225	17	0
No further sums than the above have been paid to the Editor for Transcripts.			
Compilation of Calendar Writs, 25 sheets	78	15	0
Stationery and other minor disbursements	36	5	6
March 14, 1827.—Correcting proof sheets	141	15	0
July 24, 1827.—Ditto	58	16	0
March, 1827, to March, 1828.—Salary	500	0	0
Compilation of Digest, and Abstracts of Parliamentary Writs, 198 sheets, at 3 <i>l</i>	594	0	0
Compilation of Index of Names, 20 sheets, at 2 <i>l</i> . 12 <i>s</i> . 6 <i>d</i> . per sheet	52	10	0
Salaries of Clerks and other disbursements	288	19	3
January 24, 1828.—Correcting proof sheets	96	12	0
March, 1828, to March, 1829.—Reward voted by the Commissioners upon the completion of Vol. I.	200	0	0
Editorship and collation of text of Vol. I. voted also by Commissioners	214	4	0
Ditto, Salary	500	0	0
Calendar of Writs, Vol. II. 72 sheets, at 2 <i>l</i> . 12 <i>s</i> . 6 <i>d</i> . per sheet	189	0	0
Chronological Abstracts, 80 sheets, at 3 <i>l</i> . per sheet	240	0	0
Editorship and collation of Text, 274 sheets, at 2 <i>l</i> . 2 <i>s</i>	575	8	0
Clerks Salaries	117	10	0
Other disbursements	16	7	0
January 6, 1829.—Correcting proof sheets	243	12	0"
	<u>£9,108</u>	<u>18</u>	<u>8</u>

Charles Whittingham, Took's Court,
Chancery Lane.

